Hawaiian Gazette.

VOL. XXXIX, NO. 39. HONOLULU, H. T., FRIDAY, MAY 13, 1904—SEMI-WEEKLY. WHOLE No. 2589.

FIGHTING IS REPORTED NEAR PORT ATRHUR AGAIN

THE BOMBARDMENT OF PORT ARTHUR.

From sketches supplied by a correspondent who was present at the scene of the engagement.

Russia Admits That Communication Has Been Broken—The Russian Wounded Are Being Removed To Harbin.

(ASSOCIATED PRESS CABLEGRAMS.)

ST. PETERSBURG, May 13.—Communication with Port Arthur has been broken again. Fighting is reported.

MAIL MUST GO VIA EUROPE.

WASHINGTON, May 13.—The State Department has been notified that mail for Manchuria and Siberian points must hereafter go via Europe.

CARRYING WOUNDED TO HARBIN.

MUKDEN, May 13.—A hospital train carrying 253 wounded passed here en route to Harbin.

AFTERNOON REPORT.

TOKIO, May 12.—The Japanese war officials deny the Russian report that railway communication with Port Arthur has been restored. The Japanese claim that the Russian naval base is practically isolated.

LONDON, May 12.—The Japanese war loan floated on the British market has been oversubscribed twenty times.

ST. PETERSBURG, May 12.—The Russians have practically dismantled the city of Dalny. All the structures, including the piers and docks, that could be of use to the enemy have been blown up. Splendid shipping facilities, costing thousands of dollars, have been wrecked by dynamite.

COSSACKS DRIVEN OFF.

WASHINGTON, May 12, 1904.

To SAITO, Honolulu:

On the morning of the 10th of May 200 Russian cavalry attacked Anju. The Japanese garrison stubbornly resisted. One company of reinforcements arrived by afternoon from Pingyang. The enemy fled in the morning of the 11th, when further Japanese reinforcements arrived from north and south. The Japanese casualties were four killed and six wounded. The enemy's casualties were over fifty. The non-commissioned officers taken prisoner said that the enemy consisted of six Cossacks. TAKAHIRA.

PARIS, May 12.—It is rumored that in a battle near Maotienling pass the Russians suffered a heavy loss. General Zassalitch is reported to be among the killed.

BOMBARDING PORT ARTHUR.

TOKIO, May 12.—A high angle bombardment of Port Arthur is in progress.

JAPANESE ARMY ADVANCING.

SHANGHAI, May 12.—The Japanese army is advancing in three divisions, the first from Fengwancheng towards Liaoyang, the second division is marching from Poladien and Chuchon towards Yungyancheng and the third from Sulencheng towards Kuliensin. The object of the general movement is the severing of communication with the rear of Liaoyang.

COTTON DECLARED CONTRABAND.

ST. PETERSBURG, May 11.—Cotton has been declared by Russia to be contraband of war.

COMMUNICATING WITH PORT ARTHUR.

ST. PETERSBURG, May 11.—There is great elation over the reopening of communication with Port Arthur.

PORT ARTHUR, May 12.—A train load of war [illegible] has reached here with sufficient provisions to last for a year.

WAITING FOR THE RUSSIANS.

POSSIET, May 12.—A Japanese boat has been seen in the roadstead all in readiness to meet the enemy. An attempt will probably be made to cut off Vladivostok.

KILLED IN A RIOT.

SHANGHAI, May 12.—In a riot at Chenkiang several were killed and a number wounded.

EMPEROR REVIEWS TROOPS.

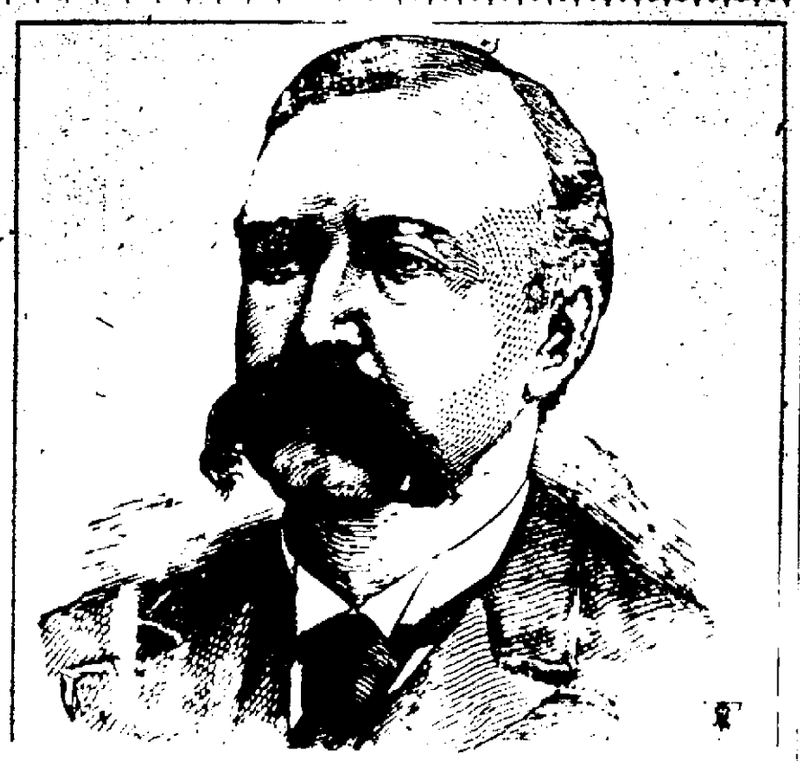
ST. PETERSBURG, May 12.—The Emperor today reviewed 40,000 Imperial Guards.

JAPANESE CONTINUE ADVANCE.

ST. PETERSBURG, May 12.—The Japanese are advancing from Fengwengcheng in the direction of Haicheng.

JUDGE GRAY CHAIRMAN OF NATIONAL CIVIC FEDERATION

PHILADELPHIA, May 13.—Judge George Gray has been selected to succeed the late Senator Hanna as chairman of the National Civic Federation.



JUDGE GEORGE GRAY

CUSTOMS AND NAVAL MEN LOCK HORNS AGAIN

Stackable Places Inspectors to Watch New York and Bennington and Admiral Terry Doesn't Like it.

The Customs and Navy Departments have locked horns again. Collector Stackable has placed customs inspectors outside the naval wharves to prevent dutiable articles from being taken off the New York and Bennington, and Admiral Terry, naval commandant, doesn't like it. The right of the customs authorities to patrol the naval docks when naval vessels are in port has long been in dispute, and it has never been settled to the satisfaction of Admiral Terry. The old trouble broke out again when Admiral Glass' squadron came into port.

Collector Stackable is said to insist that the Navy Department has no more rights than any other department of the government, and that he is compelled to see that treasury regulations are carried out. On the other hand Admiral Terry claims that all naval vessels are under the jurisdiction of the Navy Department and that the customs men have no right on the naval wharves without his permission.

When Admiral Evans' fleet was in port last December, the customs inspection was not enforced, the admiral himself issuing an order for carrying out the customs regulations and promising to deal very severely with any offender. Consequently dutiable articles were turned over to the custom authorities by the naval men and the values appraised in regular form.

The New York and Bennington are from foreign territory, Acapulco and Panama, and there are said to be Panama hats aboard, which are required to pay a high duty in addition to which naval vessels are not permitted by law to carry dutiable articles. Collector Stackable yesterday would not discuss the controversy with the naval authorities. Neither would Admiral Terry.

A BLUEJACKET FROM THE ADAMS CUT BY SHIPMATE

A bluejacket, his clothes torn and blood streaming from several wounds on his head and breast, staggered into the police station about ten o'clock last evening and asked for a doctor. The man was faint from loss of blood and was hurriedly taken to Queen's Hospital in the ambulance.

"A ship-mate cut me up," he told the officers as he leaned against the railing and exhibited his wounds. "We were fighting in lower town there and I was fighting fair with my fists, when he used a knife." The bluejacket showed a deep gash in the breast and one long gash and a smaller one on his head, from which the blood was streaming.

The man said his name was William Bush, and that he was a fireman, first class, on the training ship Adams. He said he knew who the man was that had knifed him, but had forgotten his name. From his manner it appeared as if the two men were settling some differences, with their fists, using an isolated spot in Iwilei as the battleground. Bush didn't seem to be very anxious to give information to the police so as to enable them to locate his assailant. Bush was apparently sober. After he was wounded he sought out a Japanese hackman who brought him to the police station.

W. J. Glenn, the alleged assailant of Bush, was later arrested. He admitted using a knife, saying that Bush was getting the best of him with his fists and he had to use the weapon.

MASSACRE IN BORNEO.

VICTORIA, B. C., May 12.—Reports were received here today of a terrible massacre in British Borneo. Rebels have overpowered the foreign colony at Kwang Station and slaughtered 150 of the residents. The scenes of the massacre were most horrible, men, women and children being sacrificed.

HEARST LOSES INDIANA.

INDIANAPOLIS, May 12.—The Democratic State Convention held here today elected a delegation to the national convention pledged to vote for the nomination of Judge Parker of New York. The unit rule was adopted.

LILIUOKALANI IS ILL.

ST. LOUIS, May 11.—Ex-Queen Liliuokalani, who recently arrived here with Delegate Kuhio to visit the Fair, has been quite ill. She will leave Saturday on her way home to Honolulu.

CHAMBERLAIN REOPENS CAMPAIGN.

BIRMINGHAM, England, May 13.—Chamberlain has resumed his campaign.

NEWSPAPER ARCHIVE®

SQUADRON WILL BE LONG IN PORT

ADMIRAL HENRY GLASS COMMANDING PACIFIC SQUADRON.

(From Wednesday's Advertiser)

Admiral Glass' squadron, comprising the flagship New York and the gunboat Bennington, came into port yesterday forenoon from Acapulco after a slow voyage of fifteen days. The two vessels slowed down to the speed of the Bennington, averaging about ten knots per hour. The voyage was uneventful.

The New York docked at Naval dock No. 1, and the Bennington moored just opposite, alongside Naval dock No. 2, astern of the training ship Adams.

In a short time Admiral Glass' squadron will be joined by the cruiser Marblehead and the gunboats Concord and Petrel. After a stay in this port of about three weeks the vessels will probably proceed to the Aleutian Islands, and may thence go to Puget Sound. The cruiser Tacoma is also expected to join Admiral Glass in Honolulu.

Salutes were given by the two vessels in exchange for those fired at the Naval Station, and Admiral Glass, his staff and the two captains paid an official visit to Admiral Terry at the Naval Station. Admiral Terry later returned the call.

Both the flagship New York and Bennington have been at P[illegible] since January 8, whither they had been despatched at the commencement of the Panama-Colombia trouble. Neither of the vessels participated in any of the stirring events attending the birth of the new Republic, contenting themselves with target practice.

THE NEW YORK'S CRUISE.

The New York left Bremerton on December 19, 1903, and arrived at San Francisco, December 22, and again left that port on December 28 en route to Panama and proceeded to Calao, Peru, on January 8, 1904. The flagship twice went up to Chame Bay for target practice. On March 2 the flagship left Panama and proceeded to Callao, Peru, leaving that port on March 29 and arriving at Panama on April 1. On receipt of orders to proceed to Honolulu the New York, accompanied by the Bennington, left Panama April 16 for Acapulco where they coaled, leaving the Mexican port on April 25.

The New York has a historic name won in the battle at Santiago, she then being the flagship of Admiral Sampson. She is now the flagship of the Pacific Squadron [illegible] Admiral Henry Glass [illegible] ters on the New York

ROAD BOARDS AT LAST RECEIVE THEIR DUES

So-Called Wilcox Shortage Made Good at the Expense of Taxpayers---Chief Clerk White Draws Warrants.

(From Wednesday's Advertiser.)

Yesterday C. M. White, Chief Clerk of the Public Works Department, drew warrants on the Treasury to pay the so-called "Wilcox shortage" of $2337.85, which cost Charles Wilcox his disbursing clerkship in that department and was the subject of a curious miscarriage of legislation in 1903.

Wilcox drew the warrants to pay the claims of various road boards and cashed them at the Treasury. The moneys never reached the claimants and when Wilcox was confronted with the shortage he alleged that he turned the moneys over to B. H. Wright, who was then the Chief Clerk under J. H. Boyd, Superintendent of Public Works.

A bill appropriating money to pay the road boards reached Governor Dole and was signed by him. Clerk Meheula had certified to its having passed three readings in the House of Representatives and it had also been duly certified up from the Senate. Speaker Beckley, however, after the bill had been signed informed the House that it had not passed all of the required stages in that body.

Under this showing of fact, Auditor Fisher refused to issue warrants under the purported Act. The matter then rested in abeyance until the Legislature in special session this year regularly appropriated the moneys. Mr. White drew the warrants payable to himself and having them registered will remit the warrants endorsed over to the parties named in the appropriations. They are as follows, with the amounts payable to each:

S. N. Hundley, chairman of Kawaihau (Kauai) road board, three sums of $475.65, $359.10 and $424.10 respectively.

Eben P. Low, North Kohala, Hawaii, two sums of $119 and $685 respectively.

Hutchinson Sugar Plantation, Kau, $275.

The total of these sums is $2337.85.

GOVERNMENT MAY TAKE OVER LAHAINALUNA WATER RIGHTS

Attorney-General Andrews and Deputy Sheriff Chillingworth Go to Maui for Purpose of Asserting Territory's Rights.

(From Wednesday's Advertiser.)

Attorney General Andrews and Deputy Sheriff Chillingworth left yesterday for Maui on the Claudine to take a hand in the Lahainaluna water rights controversy. It is not impossible that Deputy Sheriff Chillingworth will take possession of the water sources claimed by the Pioneer Mill Co. on behalf of the Territory and there is every prospect of a lively fight now that the government has decided to take the offensive in the matter.

The Pioneer Mill Co. has been enjoying the water rights claimed by the Territory, or Department of Education, for twelve years and it was at the request of the plantation that the government brought the suit to determine the ownership. The hearing has been in progress now for over a week before Judge J. L. Kaulukou, acting as special commissioner, and it was supposed that the trial would proceed smoothly. The Attorney General however received information yesterday that the Pioneer Mill Co. was taking advantage of every technicality and using every means to delay the trial, the understanding having been previously that the suit should be determined by the commissioner on its merits. Assistant Attorney General Noah Aluli and Mrs. Emma Na[illegible] with Ha[illegible] er, have [illegible] John Richardson appeared for the plantation.

Attorney General Andrews intends to conduct the case in person, and it is possible that forcible steps may be taken to put the government into possession of the water rights now enjoyed by the Pioneer Mill Co. It is the claim of the government that the plantation without authority or justification of any kind began the use of the water involved twelve years ago, and when the Department of Education attempted to assert its rights, the plantation claimed to control all the water. No lease to the water has ever been given, and it is claimed on the part of the Territory that a private corporation cannot acquire rights of ownership by adverse possession, as against the government. If the Pioneer Mill Co. secures possession of the water rights it is claimed that Lahainaluna Seminary would suffer very seriously as a result.

KOEBELE AND PERKINS WILL LEAVE FOR AUSTRALIA TODAY

PROFESSOR A. KOEBELE.

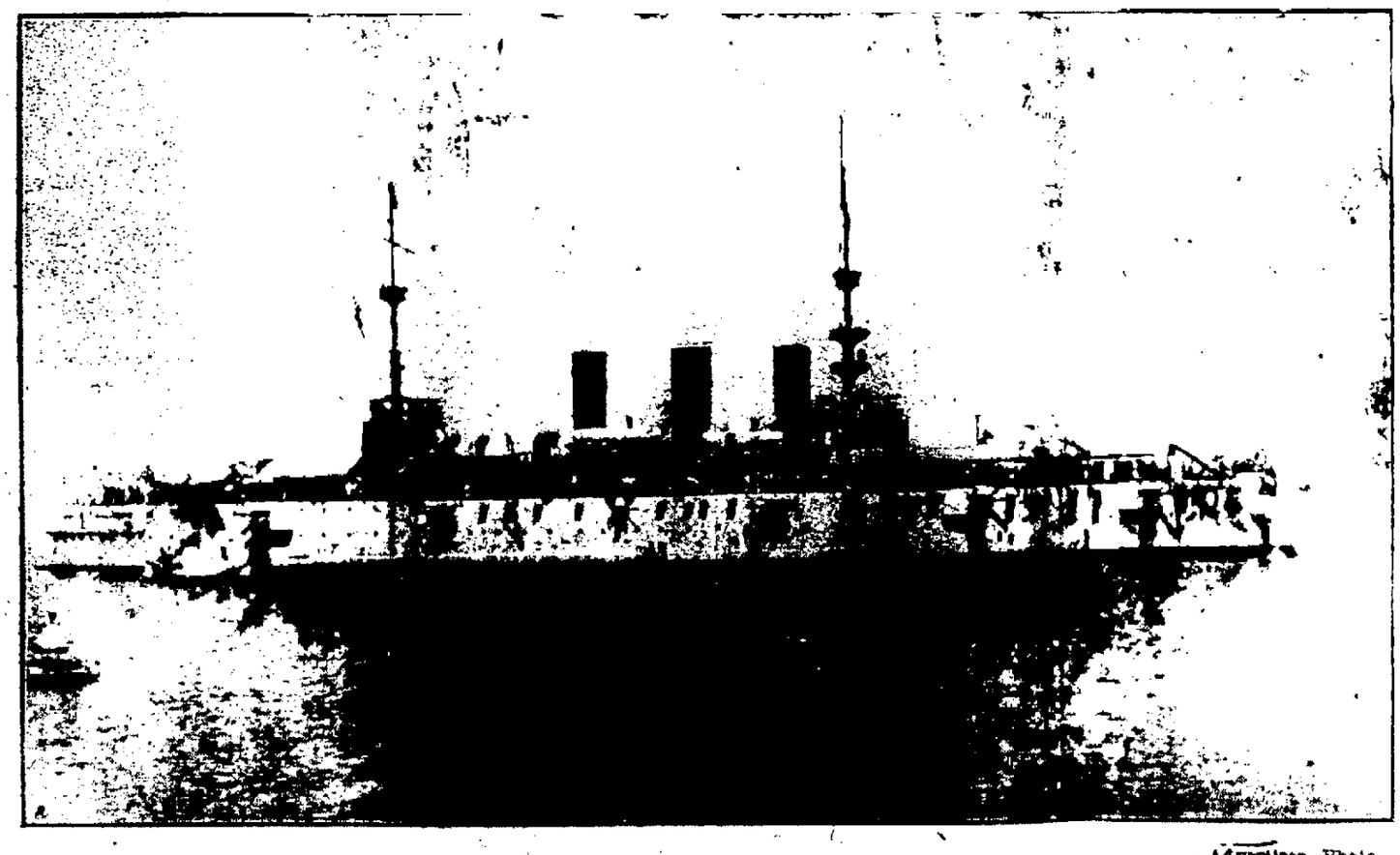
Preparations Have Been Made for a Six-Months Campaign in the Colonies in Search of a Leaf-Hopper Parasite.

Professor A. Koebele will arrive from San Francisco this morning and accompanied by Professor R. L. C. Perkins will continue on to Australia on the Sierra in the search of a leat hopper parasite. Professor Perkins has been engaged for several weeks in making the final arrangements for the tour in Australia and there will be no difficulty about going on right on through to the colonies, even though the Sierra remains in port but a few hours.

Professor Koebele has completed his work in California and in addition to the large number of parasites he has been sending on from San Francisco for six months or more, he intends to bring with him today a big lot for propagation in the insect houses at the government nursery. So far the local entomologists have succeeded admirably in spreading the parasites obtained by Koebele to the cane fields where they were most needed. The work in the search for the leaf hopper parasites is to be continued on a much broader scale in Australia. Professor Koebele is confident of ultimate success in dealing with the pest, and the influence of the parasites sent here by him is already beginning to be felt.

Koebele and Perkins expect to spend six months in Australia, although they may complete their work much sooner. It is the intention to go to Fiji only in case the mission in Australia does not succeed. Arrangements have been made to forward specimens to Honolulu on the Oceanic steamers in care of the officers of the ships, and Collector Stackable has promised to facilitate their being brought through the custom house in every way possible. Professors Kirkaldy and Terry, the two entomologists who came to Honolulu from England about a year ago, will take charge of the parasites upon their arrival here. It was the intention originally for either Terry or Kirkaldy to accompany Professor Koebele on the Australian trip, but the continued ill-health of Mr. Koebele made necessary a change of plan. Professor Koebele was somewhat doubtful of his ability to go through the Australian campaign without breaking down, and for that reason Perkins, who is able to carry on the work alone if absolutely necessary, was sent along. Professor Perkins has had long experience with the necessities of the islands, and at Professor Koebele's request it was decided to send him to Australia instead of one of the younger men.

Material and apparatus for a six months' campaign have been prepared by Professor Perkins, although it is not certain that the entomologists will be gone for that length of time. A meeting of the Board of Agriculture and Forestry is scheduled for today and if there is sufficient time Professor Koebele may explain to the board some of the results of his work and his further intentions in the Australian campaign.



—Advertiser Photo.

U. S. CRUISER NEW YORK, ADMIRAL GLASS'S FLAGSHIP, ENTERING HONOLULU HARBOR.

EVERY DAY BUT SUNDAY IS PAYDAY

Treasurer A. J. [illegible]mpbell has inaugurated a new [illegible]ture in the disbursement of [illegible]ic moneys at the Regis[illegible] Hitherto the Treas[illegible] here from two to th[illegible] each month. Ther[illegible] called mov-able [illegible] finance, eagerly watch[illegible] anyone fortunate enough [illegible] cessor of a war-rant [illegible] as the Treas-[illegible] change the publication that warrants due for payment would be payable any day that the Treasury was open. This excludes only Sundays and public holidays from the calendar of pay-days at the Registry wicket. If there be no money in the vaults the warrants will of course be registered and then, whether the p[illegible] have them discounted or not, the [illegible]ers of the registered paper will [illegible] at a loss to kn[illegible] cash, as the Tr[illegible] ment fr[illegible] ranin[illegible] good for [illegible]

Agents for Hawa[illegible]

HENDRICKS STARTS IN

Defense to Case of Malicious Arrest.

(From Wednesday's Advertiser.)

Axtell vs. Hendricks is still on before Judge Gear and a jury. At 2:40 yesterday afternoon the defendant began putting on evidence. Stenographer J. W. Jones read the testimony of E. P. Dole, attorney, at the former trial, after which a deposition by Thomas Fitch was presented.

Defendant will present new evidence in the form of a deposition by his father, Mr. Hendricks, in New York which was unavailable at the first trial. The elder Mr. Hendricks was in the office of the Hawaiian Iron Fence and Monumental Co. at the time of the occurrences underlying the present case.

BREWER'S WHARF INJUNCTION.

The injunction suit of John Lucas against Superintendent Holloway and the Hawaiian American Engineering Co. was argued before Judge Robinson yesterday afternoon. Messrs. Kinney and Derby appeared for the petitioner, and Mr. Withington for the respondents. In the midst of Mr. Kinney's argument, the Judge remarked that the entire question for the court was whether the law was complied with in awarding the contract.

PROBATE MATTERS.

Judge Gear appointed J. J. Dunne as administrator of the estate of the late Judge Morris M. Estee in the Territory of Hawaii, under a bond of $2000. The executrix and executors in San Francisco, by a paper filed in court, renounced the administration in favor of Mr. Dunne so far as property in Hawaii was concerned.

David Dayton, administrator of the estate of J. B. Anderton, deceased, has filed an inventory showing the total value of the estate to be $96.53.

DIMOND TRUSTEESHIP.

Judge De Bolt appointed Albert Waterhouse a trustee under the will of Henry Dimond, deceased, for the care and management of land on King street leased to the Metropolitan Meat Co., premises on Beretania street leased to Dr. McGrew and certain land on School street, the trustee to pay the income from such properly, less charges for its care and maintenance, to Edwin H. Dimond during his life pursuant to the terms of said will. In his petition for appointment Mr. Waterhouse represented that Henry Waterhouse and Julia H. Waterhouse, executors under the will are dead and that the administration of the estate of Henry Dimond is closed. He, as one of the executors of Henry Waterhouse's will, desired to carry out the terms of the trust conferred by Henry Dimond's last will.

FONSECA DIVORCE CASE.

At recess yesterday Judge Gear began the hearing of the divorce suit of Helen Clara Fonseca against Joseph Fonseca. Henry Hogan appeared for the libellant, the libellee being without counsel. The couple were married at New Bedford, Mass., August 28, 1900. Mrs. Fonseca declares in her libel that her husband deserted her in November last. On the stand yesterday, one of the incidents she related was her ordering him out of the house.

After the trial had overlapped into the time of the jury trial now on, Judge Gear, to settle some discrepancies between statements of husband and wife, sent Bailiff W. S. Ellis out after the five children of the couple. There are three sons and two daughters. Lillian, the second eldest child, was questioned privately by the court. Judge Gear ultimately continued the hearing until today.

COURT NOTES.

The Supreme Court yesterday heard argument on the motion by contestants for rehearing of the Notley will case.

Judge De Bolt's jury is excused until Monday.

F. J. Testa's plea to his indictment for criminal libel is due before Judge De Bolt this morning.

It is stipulated, in the suit of Excelsior Lodge, I. O. O. F. vs. Honolulu Rapid Transit & Land Co., that the plaintiff may have until the 18th inst. to file its brief on demurrer.

H. Hackfeld & Co., Ltd., by its attorneys, Kinney, McClanahan & Cooper, has filed two distinct papers, excepting to Judge De Bolt's rulings and decision respectively, in the Pearl Harbor dredging case.

C. F. Peterson secured the opening of default in Sakuso Tanaka vs. Tueso Yano, and then had the Pacific Guano and Fertilizer Co. discharged as garnishee. Judgment was finally given for plaintiff by Judge Gear.

Before Judge Gear, John Effinger, publisher of The Guide, interposed a claim of $14 against the settlement of the accounts of the estate of the late D. G. Camarinos.

Cathcart & Milverton for libellee file a motion to require the libellant, in the Maage divorce case, to pay $60 a month alimony pending decision, also a reasonable sum for counsel fees and costs.

It is stipulated in A. Lidgate vs. Honolulu Clay Co., Ltd., that the defendant have two days more to answer, demur or otherwise plead.

TREASURER WILL NOT PAY LAST YEAR'S HOUSE BILLS

John H. Wise and the other beneficiaries named in the warrants for unpaid bills of the House of Representatives for the sessions of 1903 cannot obtain the money upon such warrants unless by judgment of the courts of law.

Mr. Wise, as clerk of the House in the special session of 1904, drew these warrants against the unexpended balance of the House sessional expense appropriation for that session. His authority was a resolution of the House. The aggregate of these warrants is $2286.49 and the payees named therein are John H. Wise, Solomon Meheula, Paradise of the Pacific, D. H. Kahauelio, W. J. Coelho, Enoch Johnson and Hawaiian News Co.

Twenty days ago Treasurer A. J. Campbell positively refused to pay the warrants, as being unauthorized by law. Later he referred the matter to the Attorney General for an opinion. The opinion has been rendered but the Treasurer does not think any useful purpose would be served by publishing it.

Mr. Campbell has one very good reason for not publishing the opinion. This is that before he received it he wrote to Robertson & Wilder, attorneys for one or more of the claimants, answering their demand for payment with the statement that he positively refused to pay the warrants unless legally compelled so to do.

TO REAPPOINT FREAR AND PERRY

A petition signed by about three-fourths of the attorneys in the Territory asking for the reappointment of Chief Justice Frear and Associate Justice Perry has been forwarded to Washington. The petition was signed generally by the Honolulu lawyers and was then sent to the various circuits by the committee having the matter in charge. No indorsement has been made of a man for Judge Galbraith's place. Members of the bar are said to be much divided among the various candidates for that honor.

Miss Hawxhurst Engaged.

HILO, May 5.—The gossips were rewarded and a prediction fulfilled when the last edition of the "Argonaut" to reach Hilo was read. The engagement was there reported of Miss Alice Hawxhurst, daughter of Mr. and Mrs. Robert Hawxhurst of Alameda, to Ronald Clark Kennedy of Hilo, Hawaii. The wedding will take place some time in May. Miss Hawxhurst is a sister of Robert Hawxhurst, the chief engineer of the Kohala-Hilo Railway Co. She visited the islands last summer.

[illegible] Knights of Pythias, Chicago, [illegible]

GUBERNATORIAL PARTY'S FINAL DAYS ON KAUAI

Triumphal Tour Continued to Lihue—Carter and Atkinson Indulge in Famous Water Sports.

HANALEI, Kauai, May 6.—After the Hanalei meeting the Governor talked with various men in regard to homestead lands. On the way back to Mr. Wilcox's house the Governor inspected the court-house and lock-up, in company with Sheriff Coney. Soon after arriving at Mr. Wilcox's a delegation of natives came over to talk further about homestead matter. The Governor and Mr. Pratt explained the law to them. Later the party took a ride up the Hanalei river in Mr. C. B. Makee's steam launch. Returning to Mr. Wilcox's home a party of twelve gentlemen sat down to dinner, as follows: Gov. Carter, Mr. Atkinson, Mr. Pratt, Mr Hosmer, Sam Wilcox, A. S. Wilcox, Sheriff J. H. Coney, W. H. Rice, Mr. Gandall, C. H. Willis, Arthur Rice and Charles B. Makee. After dinner the Hawaiians gathered and sang and played native music throughout the evening.

LOOKING OVER LANDS.

KILAUEA, May 7.—Leaving Mr. Wilcox's about 8 o'clock, the Governor and his party spent the morning in the saddle, looking over the lands of Hanalei, Kalihikai and Kalihiwai where there is a forest reservation proposition, and also locality, in the Hanapepe valley, where it is proposed that homestead lots be opened for sale.

At Kalihiwai bridge a stop was made to inspect that structure, which stands without approach on either side—a good steel bridge, on tubular supports. The old wire rope ferry is still used and except for those on foot is the only way of getting across.

AT KILAUEA.

At Kilauea a luncheon was given at the school teacher's house by Mr. and Mrs. I. C. Cox. By a pleasant coincidence it happened to be the thirteenth anniversary of their wedding, so that the day was properly celebrated. Among the party to sit down were Andrew Moore, manager of the Kilauea plantation; the Messrs. Wilcox, Mr. and Mrs. A. S. Wilcox, W. H. Rice and a number of other ladies and gentlemen from Hanalei and Kilauea. After luncheon the Governor went over to the school house, where the children and a number of Hawaiians had gathered, and made a brief speech.

MET BY SCHOOL CHILDREN.

KEALIA, May 8.—Leaving the Kilauea school house the party drove on to Kealia. On the way brief stops were made at the Kilauea Japanese school, where the scholars were drawn up to receive the Governor under two large American and Japanese flags. They sang a song of welcome in Japanese and the Governor responded in a few words of appreciation. Farther along, the road runs through a large grove of kukui trees, the last remnant of a large forest which formerly covered the lower lands. Under this grove was the "first temple" of the early missionaries. One large tree was called the pulpit tree, for from its branches "Father" Alexander used to preach. The Governor, mindful of his missionary blood, climbed into the pulpit long enough to be photographed.

Farther on the picturesque cliffs of Anahola were passed. In one of these is a hole which tradition says was punched by the spear of an early warrior during a fight with the local giants who inhabited that part of the island.

Arriving at Kealia the party drove at once to the house of the manager, Mr. G. H. Fairchild, where they were entertained over Sunday in the most hospitable way. Soon after arriving the local committee called and presented a petition setting out their wants.

A jolly dinner followed, at which were present, beside the four members of the party, Mr. and Mrs. Fairchild, Mrs. Schmidt, James M. Spaulding and Arthur Rice.

During the evening the local band, under the direction of the plantation chemist, Mr. [illegible], serenaded the Governor.

[illegible]

In the afternoon the party was again called on to do duty at a board groaning under good things to eat. For the Chinaman, controlling the local rice fields, had prepared a dinner for the Governor. The whole party from the Fairchild's went over about 3 o'clock to Hee Fat's house, and sat down to an eighteen-course dinner. During the dinner speeches were made by Mr. and Mrs. Hee Fat, who welcomed the Governor to their home, by Governor Carter and Mr. Arthur Rice. Miss Amoe interpreted.

Each one was presented with a beautiful lei and during the dinner at frequent intervals strings of firecrackers frightened off any stray devils which might appear. At the conclusion of the dinner the party drove back to Kealia.

At about 7 o'clock the Governor addressed the people from in front of the postoffice. Secretary Atkinson, Representative Gandall, Judge Kalawaia, Mr. Kaneakua, Rev. Mr. Kaauwai and others also spoke.

SPECIAL TRAIN AT LIHUE.

LIHUE, May 9.—The party left Kealia about 8:30 and drove to the edge of the Lihue plantation, on the way inspecting the bridge at Wailua river, which is in bad condition, not having been properly taken care of or painted.

A special plantation train, beautifully decorated with flags and flowers, met the party. Rev. and Mrs. Hans Isenberg were the hosts for the day, but on the train was a big company of Lihue people all bent on giving the Governor and his party a good time. After being decorated with leis the party boarded the train and crossed the plantation to Wailua falls. The lower falls were first visited, then the Governor and his party with Mr. Isenberg, Mr. Weber, the plantation manager, and Mr. and Mrs. Isenberg mounted horses and rode around the upper lands, past the steep puu known as Gibraltar, to the upper falls, a charming bit of landscape, with a most beautiful double fall amid verdure clad slopes. Returning to a point near the lower falls the party found a bountiful luncheon spread on mats under the trees. The company did justice to the feast and then listened to speeches by those present.

The Governor being called on said that he was delighted to be among the people of Lihue again and that he had enjoyed to the full their cordial reception and hearty welcome.

GOVERNOR'S ADDRESS.

Continuing he said: "The part this Territory has to play in the future is a great one. Situated as we are in the Pacific, the group is at the center of the world's movement and within the next ten years I believe we shall have conditions to face with which our advance in the past is nothing. With the canal, new lines of ships, the changes in the Orient dependent on the war, etc., we are entering a new era in which the Hawaiian Islands must perforce play an important role.

EDUCATION OF ORIENTALS.

"The education of Japanese and Chinese children by us is one of the features of this. Not only they, but we also as having taught them, will be drawn into new circles. As the Oriental peoples develop, changes will come, and danger is said by some to be ahead.

NO YELLOW PERIL.

"When people talk of the yellow peril it seems to me that there is no danger. The Anglo-Saxon is bound to predominate wherever he goes—he conquers usually in a peaceful way. He goes and takes his manners and laws with him. To come down to local matters of all islands in the group I think Kauai is the model."

OTHER SPEAKERS.

Senator Wilcox, Secretary Atkinson, Rev. H. Isenberg, Rev. Father Adelbert and Mr. J. M. Lidgate also spoke.

The party then returned to Lihue, the Governor and his party going to the delightful home of Mr. and Mrs. W. H. Rice, where they took dinner.

In the evening a reception and dance was held at the Lihue hall. The committee in charge of this function was composed of Sheriff J. H. Coney, chairman; W. H. Rice, Jr., Rev. J. M. Lidgate, Mrs. W. H. Rice, Mrs. J. H. Coney and Father Adelbert.

MORE SPEAKING.

The Portuguese band, which greeted the Governor on his arrival at Nawiliwili at 2:30 a. m., was again on hand, under the leadership of Director Rapose; while music for the dancing was furnished by Sheriff Coney's orchestra. After shaking hands with all the people speeches followed:

Gov. Carter outlined his plan for distribution of expenses under a new system of accounting, saying that two-fifths should go to the Territory.

"In this way," said the Governor, "[illegible] would settle the [illegible] who gets it [illegible] times in mind [illegible] him. I only [illegible] to the [illegible] have the respo[illegible] a dozen or [illegible] Science far gr[illegible] size. Then [illegible] to learn [illegible] could do the [illegible] pay for [illegible] duty of [illegible] change [illegible]

[illegible] tion is sure to creep into Hawaii. You are public-spirited now. I know but if we are to keep up the standard set by our fathers there is more that you should and must do."

ATKINSON'S TALK.

Secretary Atkinson said: "I am glad to get back to Lihue after our trip around the island—it seems like home. There is one thing that pleases me here tonight and which I shall report to Washington in my next report—that is to see so many men and women with children. There is no race suicide in Lihue. We come round to hear what you have to say but we ourselves have to talk too much. Now the best way is to have public meetings and for each man to come and speak out his mind. In Honolulu when an important question comes up we have a public meeting in the Executive building and when it is over we usually are decided and pretty strongly one way or the other."

Following an address by Mr. Gandall there was dancing, alternating with music by the band.

The party broke up at 11, after which the Governor and his party, with Messrs. John Gandall, W. H. Rice, Jr., Arthur Rice and C. W. Spitz, were entertained by Sheriff J. H. Coney at a supper at his home, where matters in relation to political organization were discussed till an early hour, when the party retired to Mr. Rice's house for the remainder of the night.

LAST DAY ON KAUAI.

Tuesday the party rode over to Mr. G. N. Wilcox's home, where breakfast was served. After breakfast a few minutes were devoted to looking over the pleasant grounds on which many rare trees have been planted. Then again taking to the horses the party rode over to the Lihue school where Gov. Carter stopped to say a few words to the children. The next stop was for call on Madame Paul Isenberg. From there, in company with Rev. and Mrs. Hans Isenberg, he rode up through the planted forest to the Isenberg's delightful mountain home, "Kukaua," on the edge of the old crater, Kilohana.

Here Mr. and Mrs. Alexander Isenberg acted as hosts, and the Governor was joined here by Mr. Hosmer, who, with Mr. Weber, had been making a more thorough inspection of the forest, which covers some 600 acres, and consists mainly of iron-wood and koa trees. After a dainty luncheon the Governor returned to Lihue, to take the "Beach Drive." Later in the afternoon luncheon was served to the party at Mr. and Mrs. C. A. Rice's beach house at Nawiliwili, where some of the party also enjoyed a surf bath.

A number of persons paid their respects to Governor Carter during the afternoon and when the time of departure arrived, a big crowd was on hand to see the party off.

As the party went down the wharf each one was covered with leis—maile and the sweet-scented mokihana—and heliotrope and other flowers brought over by Hee Fat, who came all the way from Kealia with his parting gift.

Just before boarding the boat the Governor, with the other three men of his party, gave a lusty cheer for Kauai and the people of Lihue. As the boat pulled out the people made the wharf shake with their cheers for the Governor, followed by the sweet notes of the national hymn.

Wreckage at Sea.

Captain Saunders of the bark St. Katherine has reported to the Branch Hydrographic Office that on February 13th, while bound from this port to Hilo, he passed a spar, apparently a ship's lower mast, standing about ten feet out of water and apparently head upward. The end looked charred. An iron bar was about three feet from the end. It was a bright spar, darkened by exposure, but had no barnacles, and appeared to be sunken by the weight of rigging attached at the lower end.—Chronicle.

P. N. Lilienthal of the Anglo-California Bank writes to Col. Geo. W. Macfarlane expressing the opinion that the period of depression will continue until after the presidential election. While he notes the improved sugar market, he advises the planting companies to be sparing in dividends.

KOEBELE AND THE BOARD

Entomologist on His Parasite Search.

(From Thursday's Advertiser.)

Professor A. Koebele was before the Board of Agriculture yesterday afternoon explaining the work he expects to do in Australia and telling what he had been doing during his past year's work on the mainland. Because of Mr. Koebele's limited stay he was asked to make a statement immediately after the opening of the meeting. Professor Koebele said that he had been quite successful in his visit to Ohio during the last summer, in obtaining a number of parasites to prey upon the leaf-hopper. He said it was too early to predict just what the results of the activity of these parasites in the Hawaiian cane fields would be, as it might be a year or two before their work was effective. Mr. Koebele also told of his find of a similar parasite in California, and stated that besides sending down a large quantity while there, he also brought with him two boxes of insects which would be propagated by Entomologists Terry and Kirkaldy.

Asked as to his coming work in Australia Mr. Koebele stated that it would not be confined solely to the collection of leaf-hopper parasites, but would extend to a search for beneficial insects in general. He said that he had already spent fourteen months in the colonies and knew of certain parasites which might be beneficial to the islands. Among these he hoped to send back insects to prey upon the black scale, which is injuring the alligator pear tree. He hoped also to get something to kill off the Japanese beetle. Professor Koebele stated that he intended to make the first shipment of insects on the return voyage of the Sierra.

Both Perkins and Koebele left on the Sierra last evening, having first been given credentials by the Board of Agriculture.

CONDEMNING BALLAST.

Professor Perkins and Mr. Kirkaldy asked the Board for a ruling as to ballast brought into port. Often soil was brought in and discharged here, and there was danger that it might contain some harmful insects. Mr. Giffard stated that as long as the ballast came from San Francisco or Pacific Coast ports there was no way to stop its discharge, but all soil brought from other countries should be inspected. He said that the entomologists could use their own judgment as to whether the ballast should be passed or not. Some ballast such as sand, in which nothing could grow, might be admitted without question.

HOSMER'S REPORT.

Forester Hosmer made a brief report on the results of his trip around Kauai. He said that a number of forestry propositions were made to him, which will be submitted to the Board in a written report at the next meeting.

AUCTION SALE OF PLANTS.

Mr. Hosmer stated that it was desirable that the remaining plants in the government nursery be auctioned off. It is the intention to keep on hand only a limited number of varieties for free distribution to the schools and the parks of the Territory. Hilo Park has made a requisition for plants, which will be honored.

Mr. Giffard stated that arrangements had been completed with the Hawaiian Gazette Co. for the continued publication of the Hawaiian Forester and Agriculturist. The edition is to be of 400 copies in the future.

J. D. Dole, on behalf of the agricultural committee, stated that he had prepared the data for answering the banana query and would submit it to the Board at the next meeting. The questions as to available land were referred to the Land Commissioner.

NEW RULES IN CIRCUIT COURT

Honolulu attorneys will be interested in the new rules of court for the United States Circuit Court of Appeals. The San Francisco Chronicle says:

Judges W. W. Morrow, W. B. Gilbert and E. M. Ross approved yesterday an elaborate new code of rules to govern the procedure in the United States Circuit Court here. For the past few years a committee of three eminent lawyers have been at work revising and suggesting the code, which has finally been sanctioned by the Circuit Judges. It is said that the new code will be the most complete of any governing practice in the Federal Courts of the United States. It will go into effect on July 11th, the beginning of the new term. The report is voluminous, consisting of nearly 25,000 words. It will be printed in the near future.

Much of the work on the new code was done by Judge Robert T. Davis, now deceased. The code was based on need of such a set of rules. The present code, which is found to be unsatisfactory for present needs, was composed by Judge Sawyer. It was finished on December [illegible], 1875, and adopted on January [illegible], 1876.

NEWSPAPER ARCHIVE®

SQUADRON WILL BE LONG IN PORT

ADMIRAL HENRY GLASS COMMANDING PACIFIC SQUADRON.

(From Wednesday's Advertiser)

Admiral Glass' squadron, comprising the flagship New York and the gunboat Bennington, came into port yesterday forenoon from Acapulco after a slow voyage of fifteen days. The two vessels slowed down to the speed of the Bennington, averaging about ten knots per hour. The voyage was uneventful.

The New York docked at Naval dock No. 1, and the Bennington moored just opposite, alongside Naval dock No. 2, astern of the training ship Adams.

In a short time Admiral Glass' squadron will be joined by the cruiser Marblehead and the gunboats Concord and Petrel. After a stay in this port of about three weeks the vessels will probably proceed to the Aleutian Islands, and may thence go to Puget Sound. The cruiser Tacoma is also expected to join Admiral Glass in Honolulu.

Salutes were given by the two vessels in exchange for those fired at the Naval Station, and Admiral Glass, his staff and the two captains paid an official visit to Admiral Terry at the Naval Station. Admiral Terry later returned the call.

Both the flagship New York and Bennington have been at P[illegible] since January 3, whither they had been despatched at the commencement of the Panama-Colombia trouble. Neither of the vessels participated in any of the stirring events attending the birth of the new Republic, contenting themselves with target practice.

THE NEW YORK'S CRUISE.

The New York left Bremerton on December 19, 1903, and arrived at San Francisco, December 22, and again left that port on December 28 en route to Panama and proceeded to Calao, Peru, on January 8, 1904. The flagship twice went up to Chaime Bay for target practice. On March 2 the flagship left Panama and proceeded to Callao, Peru, leaving that port on March 29 and arriving at Panama on April 1. On receipt of orders to proceed to Honolulu the New York, accompanied by the Bennington, left Panama April 16 for Acapulco where they coaled, leaving the Mexican port on April 25.

The New York has a historic name won in the battle at Santiago, she then being the flagship of Admiral Sampson. She is now the flagship of the Pacific Squadron. Rear Admiral Henry Glass [illegible] ters on the New York

ROAD BOARDS AT LAST RECEIVE THEIR DUES

So-Called Wilcox Shortage Made Good at the Expense of Taxpayers---Chief Clerk White Draws Warrants.

(From Wednesday's Advertiser.)

Yesterday C. M. White, Chief Clerk of the Public Works Department, drew warrants on the Treasury to pay the so-called "Wilcox shortage" of $2337.85, which cost Charles Wilcox his disbursing clerkship in that department and was the subject of a curious miscarriage of legislation in 1903.

Wilcox drew the warrants to pay the claims of various road boards and cashed them at the Treasury. The moneys never reached the claimants and when Wilcox was confronted with the shortage he alleged that he turned the moneys over to B. H. Wright, who was then the Chief Clerk under J. H. Boyd, Superintendent of Public Works.

A bill appropriating money to pay the road boards reached Governor Dole and was signed by him. Clerk Meheula had certified to its having passed three readings in the House of Representatives and it had also been duly certified up from the Senate. Speaker Beckley, however, after the bill had been signed informed the House that it had not passed all of the required stages in that body.

Under this showing of fact, Auditor Fisher refused to issue warrants under the purported Act. The matter then rested in abeyance until the Legislature in special session this year regularly appropriated the moneys. Mr. White drew the warrants payable to himself and having them registered will remit the warrants endorsed over to the parties named in the appropriations. They are as follows, with the amounts payable to each:

S. N. Hundley, chairman of Kawaihau (Kauai) road board, three sums of $475.65, $359.10 and $424.10 respectively.

Eben P. Low, North Kohala, Hawaii, two sums of $119 and $685 respectively.

Hutchinson Sugar Plantation, Kau, $275.

The total of these sums is $2337.85.

GOVERNMENT MAY TAKE OVER LAHAINALUNA WATER RIGHTS

Attorney-General Andrews and Deputy Sheriff Chillingworth Go to Maui for Purpose of Asserting Territory's Rights.

(From Wednesday's Advertiser.)

Attorney General Andrews and Deputy Sheriff Chillingworth left yesterday for Maui on the Claudine to take a hand in the Lahainaluna water rights controversy. It is not impossible that Deputy Sheriff Chillingworth will take possession of the water sources claimed by the Pioneer Mill Co. on behalf of the Territory and there is every prospect of a lively fight now that the government has decided to take the offensive in the matter.

The Pioneer Mill Co. has been enjoying the water rights claimed by the Territory, or Department of Education, for twelve years and it was at the request of the plantation that the government brought the suit to determine the ownership. The hearing has been in progress now for over a week before Judge J. L. Kaulukou, acting as special commissioner, and it was supposed that the trial would proceed smoothly. The Attorney General however received information yesterday that the Pioneer Mill Co. was taking advantage of every technicality and using every means to delay the trial, the understanding having been previously that the suit should be determined by the commissioner on its merits. Assistant Attorney General Noah Aluli and Mrs. Emma Nak[illegible] familiar with Hawaiian w[illegible] ner, have [illegible] d John Richardson appeared for the plantation.

Attorney General Andrews intends to conduct the case in person, and it is possible that forcible steps may be taken to put the government into possession of the water rights now enjoyed by the Pioneer Mill Co. It is the claim of the government that the plantation without authority or justification of any kind began the use of the water involved twelve years ago, and when the Department of Education attempted to assert its rights, the plantation claimed to control all the water. No lease to the water has ever been given, and it is claimed on the part of the Territory that a private corporation cannot acquire rights of ownership by adverse possession, as against the government. If the Pioneer Mill Co. secures possession of the water rights it is claimed that Lahainaluna Seminary would suffer very seriously as a result.

EVERY DAY BUT SUNDAY IS PAYDAY

Treasurer A. J. Campbell has inaugurated a new departure in the disbursement of public moneys at the Registry of [illegible]. Hitherto the Treas[illegible] anywhere from two to thr[illegible] ys only in each month. These [illegible] that might be called movable [illegible] ays of finance, eagerly watch[illegible] by anyone fortunate enough [illegible] the possessor of a war[illegible] Treasury, as the Treas[illegible] occasionally change the publication that warrants due for payment would be payable any day that the Treasury was open. This excludes only Sundays and public holidays from the calendar of pay-days at the Registry wicket. If there be no money in the vaults the warrants will of course be registered and then, whether the payees have them discounted or not, the holders of the registered paper will not be at a loss to know [illegible] for their cash, as the Tr[illegible] ment from [illegible] rants [illegible] good for [illegible]

Agents for Hawaii

KOEBELE AND PERKINS WILL LEAVE FOR AUSTRALIA TODAY

PROFESSOR A. KOEBELE.

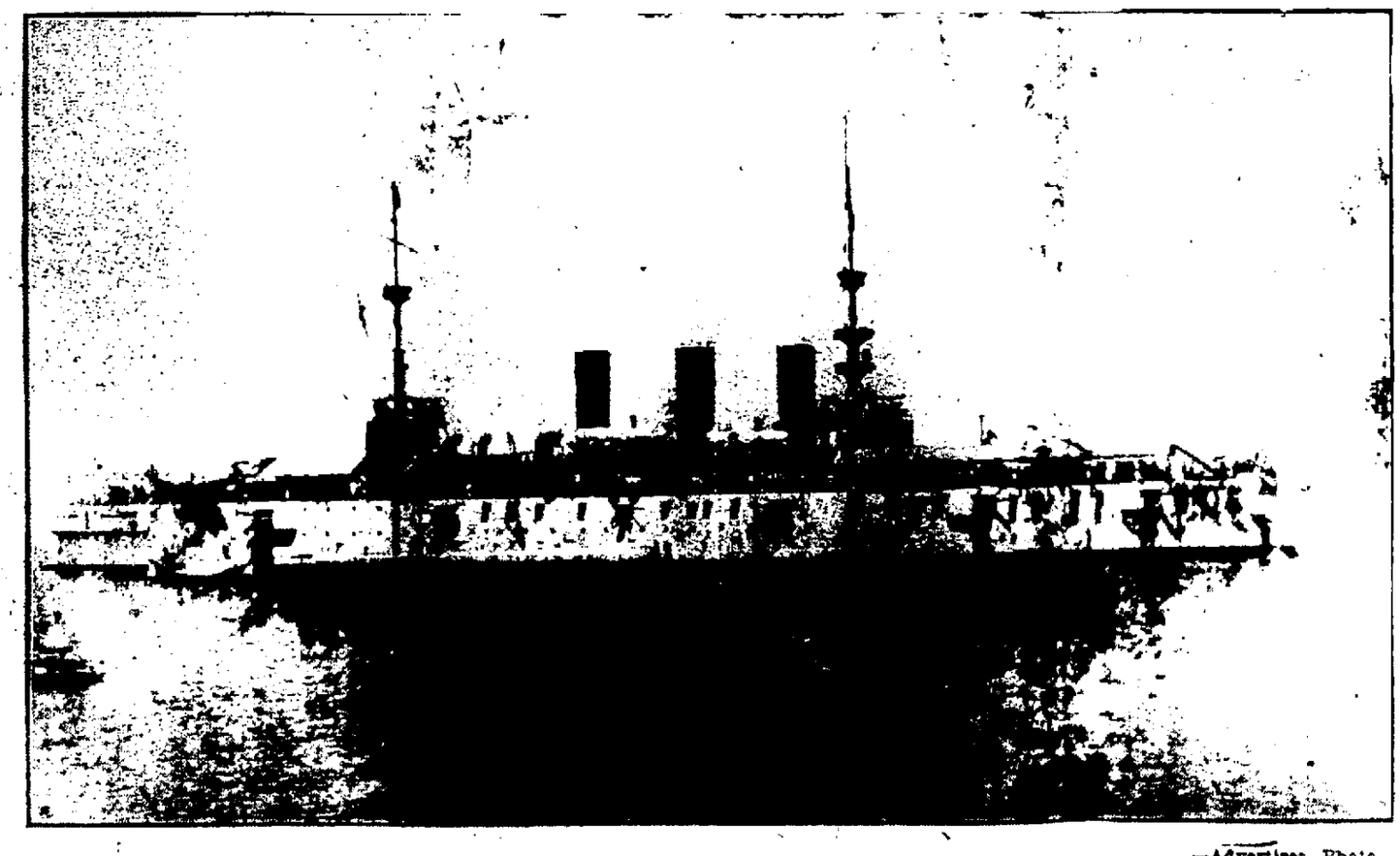
Preparations Have Been Made for a Six-Months Campaign in the Colonies in Search of a Leaf-Hopper Parasite.

Professor A. Koebele will arrive from San Francisco this morning and accompanied by Professor R. L. C. Perkins will continue on to Australia on the Sierra in the search of a leaf hopper parasite. Professor Perkins has been engaged for several weeks in making the final arrangements for the tour in Australia and there will be no difficulty about going on right on through to the colonies, even though the Sierra remains in port but a few hours.

Professor Koebele has completed his work in California and in addition to the large number of parasites he has been sending on from San Francisco for six months or more, he intends to bring with him today a big lot for propagation in the insect houses at the government nursery. So far the local entomologists have succeeded admirably in spreading the parasites obtained by Koebele to the cane fields where they were most needed. The work in the search for the leaf hopper parasites is to be continued on a much broader scale in Australia. Professor Koebele is confident of ultimate success in dealing with the pest, and the influence of the parasites sent here by him is already beginning to be felt.

Koebele and Perkins expect to spend six months in Australia, although they may complete their work much sooner. It is the intention to go to Fiji only in case the mission in Australia does not succeed. Arrangements have been made to forward specimens to Honolulu on the Oceanic steamers in care of the officers of the ships, and Collector Stackable has promised to facilitate their being brought through the custom house in every way possible. Professors Kirkaldy and Terry, the two entomologists who came to Honolulu from England about a year ago, will take charge of the parasites upon their arrival here. It was the intention originally for either Terry or Kirkaldy to accompany Professor Koebele on the Australian trip, but the continued ill-health of Mr. Koebele made necessary a change of plan. Professor Koebele was somewhat doubtful of his ability to go through the Australian campaign without breaking down, and for that reason Perkins, who is able to carry on the work alone if absolutely necessary, was sent along. Professor Perkins has had long experience with the necessities of the islands, and at Professor Koebele's request it was decided to send him to Australia instead of one of the younger men.

Material and apparatus for a six months' campaign have been prepared by Professor Perkins, although it is not certain that the entomologists will be gone for that length of time. A meeting of the Board of Agriculture and Forestry is scheduled for today and if there is sufficient time Professor Koebele may explain to the board some of the results of his work and his further intentions in the Australian campaign.



—Advertiser Photo.

U. S. CRUISER NEW YORK, ADMIRAL GLASS'S FLAGSHIP, ENTERING HONOLULU HARBOR.

NEWSPAPERARCHIVE®

HENDRICKS STARTS IN

Defense to Case of Malicious Arrest.

(From Wednesday's Advertiser.)

Axtell vs. Hendricks is still on before Judge Gear and a jury. At 2:40 yesterday afternoon the defendant began putting on evidence. Stenographer J. W. Jones read the testimony of E. P. Dole, attorney, at the former trial, after which a deposition by Thomas Fitch was presented.

Defendant will present new evidence in the form of a deposition by his father, Mr. Hendricks, in New York which was unavailable at the first trial. The elder Mr. Hendricks was in the office of the Hawaiian Iron Fence and Monumental Co. at the time of the occurrences underlying the present case.

BREWER'S WHARF INJUNCTION.

The injunction suit of John Lucas against Superintendent Holloway and the Hawaiian American Engineering Co. was argued before Judge Robinson yesterday afternoon. Messrs. Kinney and Derby appeared for the petitioner, and Mr. Withington for the respondents. In the midst of Mr. Kinney's argument, the Judge remarked that the entire question for the court was whether the law was complied with in awarding the contract.

PROBATE MATTERS.

Judge Gear appointed J. J. Dunne as administrator of the estate of the late Judge Morris M. Estee in the Territory of Hawaii, under a bond of $2000. The executrix and executors in San Francisco, by a paper filed in court, renounced the administration in favor of Mr. Dunne so far as property in Hawaii was concerned.

David Dayton, administrator of the estate of J. B. Anderton, deceased, has filed an inventory showing the total value of the estate to be $96.53.

DIMOND TRUSTEESHIP.

Judge De Bolt appointed Albert Waterhouse a trustee under the will of Henry Dimond, deceased, for the care and management of land on King street leased to the Metropolitan Meat Co., premises on Beretania street leased to Dr. McGrew and certain land on School street, the trustee to pay the income from such property, less charges for its care and maintenance, to Edwin H. Dimond during his life pursuant to the terms of said will. In his petition for appointment Mr. Waterhouse represented that Henry Waterhouse and Julia H. Waterhouse, executors under the will are dead and that the administration of the estate of Henry Dimond is closed. He, as one of the executors of Henry Waterhouse's will, desired to carry out the terms of the trust conferred by Henry Dimond's last will.

FONSECA DIVORCE CASE.

At recess yesterday Judge Gear began the hearing of the divorce suit of Helen Clara Fonseca against Joseph Fonseca. Henry Hogan appeared for the libellant, the libellee being without counsel. The couple were married at New Bedford, Mass., August 25, 1900. Mrs. Fonseca declares in her libel that her husband deserted her in November last. On the stand yesterday, one of the incidents she related was her ordering him out of the house.

After the trial had overlapped into the time of the jury trial now on, Judge Gear, to settle some discrepancies between statements of husband and wife, sent Bailiff W. S. Ellis out after the five children of the couple. There are three sons and two daughters. Lillian, the second eldest child, was questioned privately by the court. Judge Gear ultimately continued the hearing until today.

COURT NOTES.

The Supreme Court yesterday heard argument on the motion by contestants for rehearing of the Notley will case.

Judge De Bolt's jury is excused until Monday.

F. J. Testa's plea to his indictment for criminal libel is due before Judge De Bolt this morning.

It is stipulated, in the suit of Excelsior Lodge, I. O. O. F. vs. Honolulu Rapid Transit & Land Co., that the plaintiff may have until the 18th inst. to file its brief on demurrer.

H. Hackfeld & Co., Ltd., by its attorneys, Kinney, McClanahan & Cooper, has filed two distinct papers, excepting to Judge De Bolt's rulings and decision respectively, in the Pearl Harbor dredging case.

C. F. Peterson secured the opening of default in Sakuso Tanaka vs. Tuemo Yano, and then had the Pacific Guano and Fertilizer Co. discharged as garnishee. Judgment was finally given for plaintiff by Judge Gear.

Before Judge Gear, John Effinger, publisher of The Guide, interposed a claim of $14 against the settlement of the accounts of the estate of the late D. G. Camarinos.

Cathcart & Milverton for libellee file a motion to require the libellant, in the Maage divorce case, to pay $60 a month alimony pending decision, also a reasonable sum for counsel fees and costs.

It is stipulated in A. Lidgate vs. Honolulu Clay Co., Ltd., that the defendant have two days more to answer, demur or otherwise plead.

TREASURER WILL NOT PAY LAST YEAR'S HOUSE BILLS

John H. Wise and the other beneficiaries named in the warrants for unpaid bills of the House of Representatives for the sessions of 1903 cannot obtain the money upon such warrants unless by judgment of the courts of law.

Mr. Wise, as clerk of the House in the special session of 1904, drew these warrants against the unexpended balance of the House sessional expense appropriation for that session. His authority was a resolution of the House. The aggregate of these warrants is $2286.49 and the payees named therein are John H. Wise, Solomon Meheula, Paradise of the Pacific, D. H. Kahauelio, W. J. Coelho, Enoch Johnson and Hawaiian News Co.

Twenty days ago Treasurer A. J. Campbell positively refused to pay the warrants, as being unauthorized by law. Later he referred the matter to the Attorney General for an opinion. The opinion has been rendered but the Treasurer does not think any useful purpose would be served by publishing it.

Mr. Campbell has one very good reason for not publishing the opinion. This is that before he received it he wrote to Robertson & Wilder, attorneys for one or more of the claimants, answering their demand for payment with the statement that he positively refused to pay the warrants unless legally compelled so to do.

TO REAPPOINT FREAR AND PERRY

A petition signed by about three-fourths of the attorneys in the Territory asking for the reappointment of Chief Justice Frear and Associate Justice Perry has been forwarded to Washington. The petition was signed generally by the Honolulu lawyers and was then sent to the various circuits by the committee having the matter in charge. No indorsement has been made of a man for Judge Galbraith's place. Members of the bar are said to be much divided among the various candidates for that honor.

Miss Hawxhurst Engaged.

HILO, May 5.—The gossips were rewarded and a prediction fulfilled when the last edition of the "Argonaut" to reach Hilo was read. The engagement was there reported of Miss Alice Hawxhurst, daughter of Mr. and Mrs. Robert Hawxhurst of Alameda, to Ronald Clark Kennedy of Hilo, Hawaii. The wedding will take place some time in May. Miss Hawxhurst is a sister of Robert Hawxhurst, the chief engineer of the Kohala-Hilo Railway Co. She visited the islands last summer.

GUBERNATORIAL PARTY'S FINAL DAYS ON KAUAI

Triumphal Tour Continued to Lihue—Carter and Atkinson Indulge in Famous Water Sports.

HANALEI, Kauai, May 6.—After the Hanalei meeting the Governor talked with various men in regard to homestead lands. On the way back to Mr. Wilcox's house the Governor inspected the court-house and lock-up, in company with Sheriff Coney. Soon after arriving at Mr. Wilcox's a delegation of natives came over to talk further about homestead matter. The Governor and Mr. Pratt explained the law to them. Later the party took a ride up the Hanalei river in Mr. C. B. Makee's steam launch. Returning to Mr. Wilcox's home a party of twelve gentlemen sat down to dinner, as follows: Gov. Carter, Mr. Atkinson, Mr. Pratt, Mr Hosmer, Sam Wilcox, A. S. Wilcox, Sheriff J. H. Coney, W. H. Rice, Mr. Gandall, C. H. Willis, Arthur Rice and Charles B. Makee. After dinner the Hawaiians gathered and sang and played native music throughout the evening.

LOOKING OVER LANDS.

KILAUEA, May 7.—Leaving Mr. Wilcox's about 8 o'clock, the Governor and his party spent the morning in the saddle, looking over the lands of Hanalei, Kalihikai and Kalihiwai where there is a forest reservation proposition, and also locality, in the Hanapepe valley, where it is proposed that homestead lots be opened for sale.

At Kalihiwai bridge a stop was made to inspect that structure, which stands without approach on either side—a good steel bridge, on tubular supports. The old wire rope ferry is still used and except for those on foot is the only way of getting across.

AT KILAUEA.

At Kilauea a luncheon was given at the school teacher's house by Mr. and Mrs. I. C. Cox. By a pleasant coincidence it happened to be the thirteenth anniversary of their wedding, so that the day was properly celebrated. Among the party to sit down were Andrew Moore, manager of the Kilauea plantation; the Messrs. Wilcox, Mr. and Mrs. A. S. Wilcox, W. H. Rice and a number of other ladies and gentlemen from Hanalei and Kilauea. After luncheon the Governor went over to the school house, where the children and a number of Hawaiians had gathered, and made a brief speech.

MET BY SCHOOL CHILDREN.

KEALIA, May 8.—Leaving the Kilauea school house the party drove on to Kealia. On the way brief stops were made at the Kilauea Japanese school, where the scholars were drawn up to receive the Governor under two large American and Japanese flags. They sang a song of welcome in Japanese and the Governor responded in a few words of appreciation. Farther along, the road runs through a large grove of kukui trees, the last remnant of a large forest which formerly covered the lower lands. Under this grove was the "first temple" of the early missionaries. One large tree was called the pulpit tree, for from its branches "Father" Alexander used to preach. The Governor, mindful of his missionary blood, climbed into the pulpit long enough to be photographed.

Farther on the picturesque cliffs of Anahola were passed. In one of these is a hole which tradition says was punched by the spear of an early warrior during a fight with the local giants who inhabited that part of the island.

Arriving at Kealia the party drove at once to the house of the manager, Mr. G. H. Fairchild where they were entertained over Sunday in the most hospitable way. Soon after arrival the local committee called and presented a petition setting out their wants.

A jolly dinner followed, at which were present, beside the four members of the party, Mr. and Mrs. Fairchild, Mrs. Schmidt, James M. Spaulding and Arthur Rice.

During the evening the local band, under the direction of the plantation chemist, Mr. Sanborn, serenaded the Governor.

PROPOSED [illegible]

Sunday morning [illegible] the party [illegible] the plantation on part of [illegible] forest reservation proposition [illegible] matters were also [illegible] of the cases of [illegible] under [illegible] a few years [illegible]

[illegible]

In the afternoon the party was again called on to do duty at a board groaning under good things to eat. For the Chinaman, controlling the local rice fields, had prepared a dinner for the Governor. The whole party from the Fairchild's went over about 3 o'clock to Hee Fat's house, and sat down to an eighteen-course dinner. During the dinner speeches were made by Mr. and Mrs. Hee Fat, who welcomed the Governor to their home, by Governor Carter and Mr. Arthur Rice. Miss Amoe interpreted.

Each one was presented with a beautiful lei and during the dinner at frequent intervals strings of firecrackers frightened off any stray devils which might appear. At the conclusion of the dinner the party drove back to Kealia.

At about 7 o'clock the Governor addressed the people from in front of the postoffice. Secretary Atkinson, Representative Gandall, Judge Kalawaia, Mr. Kaneakua, Rev. Mr. Kaauwai and others also spoke.

SPECIAL TRAIN AT LIHUE.

LIHUE, May 9.—The party left Kealia about 8:30 and drove to the edge of the Lihue plantation, on the way inspecting the bridge at Wailua river, which is in bad condition, not having been properly taken care of or painted.

A special plantation train, beautifully decorated with flags and flowers, met the party. Rev. and Mrs. Hans Isenberg were the hosts for the day, but on the train was a big company of Lihue people all bent on giving the Governor and his party a good time. After being decorated with leis the party boarded the train and crossed the plantation to Wailua falls. The lower falls were first visited, then the Governor and his party with Mr. Isenberg, Mr. Weber, the plantation manager, and Mr. and Mrs. Isenberg mounted horses and rode around the upper lands, past the steep pali known as Gibraltar, to the upper falls, a charming bit of landscape, with a most beautiful double fall amid verdure clad slopes. Returning to a point near the lower falls the party found a bountiful luncheon spread on mats under the trees. The company did justice to the feast and then listened to speeches by those present.

The Governor being called on said that he was delighted to be among the people of Lihue again and that he had enjoyed to the full their cordial reception and hearty welcome.

GOVERNOR'S ADDRESS.

Continuing he said: "The part this Territory has to play in the future is a great one. Situated as we are in the Pacific, the group is at the center of the world's movement and within the next ten years I believe we shall have conditions to face with which our advance in the past is nothing. With the canal, new lines of ships, the changes in the Orient dependent on the war, etc., we are entering a new era in which the Hawaiian Islands must perforce play an important role.

EDUCATION OF ORIENTALS.

"The education of Japanese and Chinese children by us is one of the features of this. Not only they, but we also as having taught them, will be drawn into new circles. As the Oriental peoples develop, changes will come, and danger is said by some to be ahead.

NO YELLOW PERIL.

"When people talk of the yellow peril it seems to me that there is no danger. The Anglo-Saxon is bound to predominate wherever he goes—he conquers usually in a peaceful way. He goes and takes his manners and laws with him. To come down to local matters of all islands in the group I think Kauai is the model."

OTHER SPEAKERS.

Senator Wilcox, Secretary Atkinson, Rev. H. Isenberg, Rev. Father Adelbert and Mr. J. M. Lidgate also spoke.

The party then returned to Lihue, the Governor and his party going to the delightful home of Mr. and Mrs. W. H. Rice, where they took dinner.

In the evening a reception and dance was held at the Lihue hall. The committee in charge of this function was composed of Sheriff J. H. Coney, chairman; W. H. Rice, Jr., Rev. J. M. Lidgate, Mrs. W. H. Rice, Mrs. J. H. Coney and Father Adelbert.

MORE SPEAKING.

The Portuguese band, which greeted the Governor on his arrival at Nawiliwili at 2:30 a. m., was again on hand, under the leadership of Director Rapose; while music for the dancing was furnished by Sheriff Coney's orchestra. After shaking hands with all the people speeches followed:

Gov. Carter outlined his plan for distribution of expenses under a new system of accounting, saying that two-[illegible] of the should go to the Ter[illegible]

"In this way," [illegible] old settle the [illegible] who gets it [illegible] things in mi[illegible] term. I only [illegible] funds to the [illegible] give the resp[illegible] a dozen [illegible] service far [illegible] size. The[illegible] to [illegible] could do the [illegible] pay for it [illegible] duty o[illegible] office [illegible] [illegible] good [illegible] corrupt[illegible]

[illegible] tion is sure to creep into Hawaii. You are public-spirited now I know but if we are to keep up the standard set by our fathers there is more that you should and must do."

ATKINSON'S TALK.

Secretary Atkinson said: "I am glad to get back to Lihue after our trip around the island it seems like home. There is one thing that pleases me here tonight and which I shall report to Washington in my next report—that is to see so many men and women with children. There is no race suicide in Lihue. We come round to hear what you have to say but we ourselves have to talk too much. Now the best way is to have public meetings and for each man to come and speak out his mind. In Honolulu when an important question comes up we have a public meeting in the Executive building and when it is over we usually are decided and pretty strongly one way or the other."

Following an address by Mr. Gandall there was dancing, alternating with music by the band.

The party broke up at 11, after which the Governor and his party, with Messrs. John Gandall, W. H. Rice, Jr., Arthur Rice and C. W. Spitz, were entertained by Sheriff J. H. Coney at a supper at his home, where matters in relation to political organization were discussed till an early hour, when the party retired to Mr. Rice's house for the remainder of the night.

LAST DAY ON KAUAI.

Tuesday the party rode over to Mr. G. N. Wilcox's home, where breakfast was served. After breakfast a few minutes were devoted to looking over the pleasant grounds on which many rare trees have been planted. Then again taking to the horses the party rode over to the Lihue school where Gov. Carter stopped to say a few words to the children. The next stop was for call on Madame Paul Isenberg. From there, in company with Rev. and Mrs. Hans Isenberg, he rode up through the planted forest to the Isenberg's delightful mountain home, "Kukaua," on the edge of the old crater, Kilohana.

Here Mr. and Mrs. Alexander Isenberg acted as hosts, and the Governor was joined here by Mr. Hosmer, who, with Mr. Weber, had been making a more thorough inspection of the forest, which covers some 600 acres, and consists mainly of iron-wood and koa trees. After a dainty luncheon the Governor returned to Lihue, to take the "Beach Drive." Later in the afternoon luncheon was served to the party at Mr. and Mrs. C. A. Rice's beach house at Nawiliwili, where some of the party also enjoyed a surf bath.

A number of persons paid their respects to Governor Carter during the afternoon and when the time of departure arrived, a big crowd was on hand to see the party off.

As the party went down the wharf each one was covered with leis—maile and the sweet-scented mokihana—and heliotrope and other flowers brought over by Hee Fat, who came all the way from Kealia with his parting gift.

Just before boarding the boat the Governor, with the other three men of his party, gave a lusty cheer for Kauai and the people of Lihue. As the boat pulled out the people made the wharf shake with their cheers for the Governor, followed by the sweet notes of the national hymn.

Wreckage at Sea.

Captain Saunders of the bark St. Katherine has reported to the Branch Hydrographic Office that on February 13th, while bound from this port to Hilo, he passed a spar, apparently a ship's lower mast, standing about ten feet out of water and apparently head upward. The end looked charred. An iron bar was about three feet from the end. It was a bright spar, darkened by exposure, but had no barnacles, and appeared to be sunken by the weight of rigging attached at the lower end.—Chronicle.

P. N. Lilienthal of the Anglo-California Bank writes to Col. Geo. W. Macfarlane expressing the opinion that the period of depression will continue until after the presidential election. While he notes the improved sugar market, he advises the planting companies to be sparing in dividends.

KOEBELE AND THE BOARD

Entomologist on His Parasite Search.

(From Thursday's Advertiser.)

Professor A. Koebele was before the Board of Agriculture yesterday afternoon explaining the work he expects to do in Australia and telling what he had been doing during his past year's work on the mainland. Because of Mr. Koebele's limited stay he was asked to make a statement immediately after the opening of the meeting. Professor Koebele said that he had been quite successful in his visit to Ohio during the last summer, in obtaining a number of parasites to prey upon the leaf-hopper. He said it was too early to predict just what the results of the activity of these parasites in the Hawaiian cane fields would be, as it might be a year or two before their work was effective. Mr. Koebele also told of his find of a similar parasite in California, and stated that besides sending down a large quantity while there, he also brought with him two boxes of insects which would be propagated by Entomologists Terry and Kirkaldy.

Asked as to his coming work in Australia Mr. Koebele stated that it would not be confined solely to the collection of leaf-hopper parasites, but would extend to a search for beneficial insects in general. He said that he had already spent fourteen months in the colonies and knew of certain parasites which might be beneficial to the islands. Among these he hoped to send back insects to prey upon the black scale, which is injuring the alligator pear tree. He hoped also to get something to kill off the Japanese beetle. Professor Koebele stated that he intended to make the first shipment of insects on the return voyage of the Sierra.

Both Perkins and Koebele left on the Sierra last evening, having first been given credentials by the Board of Agriculture.

CONDEMNING BALLAST.

Professor Perkins and Mr. Kirkaldy asked the Board for a ruling as to ballast brought into port. Often soil was brought in and discharged here, and there was danger that it might contain some harmful insects. Mr. Giffard stated that as long as the ballast came from San Francisco or Pacific Coast ports there was no way to stop its discharge, but all soil brought from other countries should be inspected. He said that the entomologists could use their own judgment as to whether the ballast should be passed or not. Some ballast such as sand, in which nothing could grow, might be admitted without question.

HOSMER'S REPORT.

Forester Hosmer made a brief report on the results of his trip around Kauai. He said that a number of forestry propositions were made to him, which will be submitted to the Board in a written report at the next meeting.

AUCTION SALE OF PLANTS.

Mr. Hosmer stated that it was desirable that the remaining plants in the government nursery be auctioned off. It is the intention to keep on hand only a limited number of varieties for free distribution to the schools and the parks of the Territory. Hilo Park has made a requisition for plants, which will be honored.

Mr. Giffard stated that arrangements had been completed with the Hawaiian Gazette Co. for the continued publication of the Hawaiian Forester and Agriculturist. The edition is to be of 400 copies in the future.

J. D. Dole, on behalf of the agricultural committee, stated that he had prepared the data for answering the banana query and would submit it to the Board at the next meeting. The questions as to available land were referred to the Land Commissioner.

NEW RULES IN CIRCUIT COURT

Honolulu attorneys will be interested in the new rules of court for the United States Circuit Court of Appeals. The San Francisco Chronicle says:

Judges W. W. Morrow, W. B. Gilbert and E. M. Ross approved yesterday an elaborate new code of rules to govern the procedure in the United States Circuit Court here. For the past few years a committee of three eminent lawyers have been at work revising and suggesting the code, which has finally been sanctioned by the Circuit Judges. It is said that the new code will be the most complete of any governing practice in the Federal Courts of the United States. It will go into effect on July 11th, the beginning of the new term. The report is voluminous, consisting of nearly 25,000 words. It will be printed in the near future.

Much of the work on the new code was done by Judge Robert Y. Hayne, now deceased. The court was badly in need of such a set of rules. The present code, which is found to be unsatisfactory for present [illegible] needs, was composed by Judge [illegible]yer. It was finished on December [illegible] 1875, and adopted on January [illegible] 1876.

[illegible]

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SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

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PANAMA CANAL AND PROSPERITY

Professor Emery R. Johnson of Philadelphia, in the Railway World, opposes the views of a great many other important railroad men in the United States, in relation to the effect of the construction of the Panama Canal on domestic trade. He anticipates that the railway lines in the Southwestern States will be seriously injured, and that the transcontinental lines will be sustained, chiefly by local traffic. Other writers have claimed that California, Oregon and Washington, will derive no benefit from the new international highway.

The views of these gentlemen are not borne out by a study of statistics. They all appear to ignore the vast increase of commerce that must inevitably result from the canal, and the development that is even now conspicuous on the Pacific. The foreign trade of the United States in 1893 aggregated $2,480,141,228, of which the exports represent $1,454,568,127, or an increase of $123,932,194, over the previous year, and the imports $995,473,101. These figures not only prove the steadiness of prosperity, notwithstanding occasional perturbations, usually due to Wall street and less and less affecting general business, but also the growth of our domestic interests. The enlargement of population too is almost phenomenal.

The expansion of our foreign commerce through the Panama Canal is inevitable, and that means, apart from the enormous development of the United States in population and in farm products, many of which are exported, that manufactures for exportation will be very greatly augmented. Internal railroad traffic to the Atlantic and Pacific Coasts must therefore be benefited and, even in the international transmission of products and goods, the volume of trade will be so great that the more costly or perishable articles, that will take the most direct routes, would alone maintain railroad prosperity.

In opposition to Professor Johnson, the better opinion throughout the country is that the trade movements to and from the United States will be vastly accelerated and augmented by the consummation of this dream of centuries, that San Francisco will become speedily one of the most important commercial centres in the world, that all Pacific ports will participate in the profits of a new era, and that the Western States will be more rapidly pushed forward on their existing progressive march.

As all roads were said to lead to Rome, so all speculations on the result of the Panama Canal, however, they may vary in their application to the mainland, agree on the advantages that must accrue to this territory, and especially to Honolulu. The advice to Colombia some months ago to invest the money she proposed to spend on war in the canal holds good.

OPPORTUNITIES IN SISAL.

If it is successfully demonstrated that paper can be manufactured from sisal bagasse, the production of fibre will be one of the most profitable of island industries. With fibre bringing $165 per ton in the San Francisco market sisal affords handsome dividends without paying attention to by-products. Half of the sisal which now goes to waste in bagasse will be utilized in the manufacture of paper if the experiments to be made on the mainland result as successfully as the crude tests already made by local experimenters. There are thousands upon thousands of acres of rocky land in the Territory, said to be suitable for sisal production, and there are vast possibilities for the future of Hawaii in the new industry which almost from its inception was profitable.

Early tests made with Hawaiian sisal rope demonstrated its superiority to the Philippine product, and while the Manila rope has been constantly deteriorating in strength, the local output has met with more and more favor at the hands of manufacturers. If the vast tracts of government lands now lying idle can be successfully used in the cultivation of sisal, Hawaii stands a chance of approaching the Philippines in quantity of output as well as of rivaling them in quality of production.

A great deal is expected by the sugar interests of the islands from the long-promised trip of Messrs. Koebele and Perkins to Australia in search of a leaf-hopper parasite. Professor Koebele's labors have already been of untold value to the country in the introduction of beneficial insects, and he expects to do a good deal more before he retires from a quarter of century of entomological service.

The World's Fair travel has begun in earnest. If the thousands of through passengers passing Honolulu every month could be assured of steamship accommodations, hundreds might be induced to stay over for a tour of the islands.

Treasurer Campbell's new plan of making every day a pay day is a good one. There is no reason why government warrants should not be paid off as rapidly as there is cash in the treasury available for the purpose.

MORAL EDUCATION.

Governor Vardaman of Mississippi claims that free negroes are morally deteriorating and that those who can read and write are worse than the illiterate. The minimum of illiteracy among them is in New England, where the rate is 21.7 per cent and the maximum in Louisiana, Mississippi and South Carolina, often designated as the "black belt," where the rate is 65.7 per cent. Governor Vardaman seeks to show that the proportion of crime among the New England negroes is four and a half times greater than among their southern countrymen, and, on this basis, practically argues in favor of ignorance.

There is an evident fallacy in the conclusion thus sought to be derived, because there are many other elements to be considered than mere numbers and education. Geographical considerations, density of population, the surrounding conditions, the opportunities for crime, and a great variety of applicable facts, would easily destroy the force of Governor Vardaman's deduction. In the former slave states, since 1880, $105,807,930, has been spent for schools for the negroes, and the illiteracy among them, which in that year was seventy per cent has now diminished to 44.5 per cent, which is a good reduction, although still quite disproportionate to the percentage among the native whites, which is only 4.6.

But the argument of Governor Vardaman has in it a point that is being very seriously considered by prominent educators throughout the Union, and which applies to the whites as well as to the negroes. It has been contended for years that our system of education has been too rigidly secularized, and that, in the effort to avoid even a suspicion of denominational tendency, the morality that civilization itself recognizes has been ignored. This is a serious proposition, deserving of careful attention. Our institutions were framed so as to insure the utmost religious toleration, consistent with the preservation of society, and to eliminate the bigotry and fanaticism that had disgraced the Old World. But the government rests upon fundamental principles that are common to all civilized races and nations. The question that now attracts the interest of the leading schoolmen, is whether it is not practicable to introduce moral features into the common schools that would not interfere with the national equilibrium. The Ten Commandments are hardly succeptible of misinterpretation, and there are scholars who believe that a school-book could easily be constructed that would embrace those features of morality that are common to all religions and that would raise the tone of citizenship in the rising generation.

God and the Moral Law in themselves, and as finely condensed into the two rules of action that have been termed "royal," and that express man's duty towards the Supreme Being and towards his neighbor, are part of American civilization and constitute the true leaven of individual, social and national life. The necessity for their definite impression upon education is rapidly becoming an acknowledged proposition.

A DYING CAUSE.

The Governor found no interest on Kauai in the elaborate scheme, under the name of County government, to increase the taxes of the people for the sake of supporting new bodies of office-holders. Sentiment for County government is now chiefly confined to Hilo and even there it is mitigated by the rigors of hard times. Here in Honolulu the Advertiser has had a standing and as yet unanswered challenge to produce ten representative taxpayers, not connected with politics, who are in favor of County government. The ten are not to be found.

There has been, in fact, a great revolution of sentiment since the original County Act was passed, a revolution due to three facts:

(1) The unsatisfactory workings of the act during the short time it was before the people.

(2) The hard times, which have made it difficult to support one government here, to say nothing of two.

(3) The change of Territorial administration.

While it is admitted that the time will eventually come to subdivide the Government, it is logically held that such a change should be brought about by growth in population as it was in the early history of the United States, and not by the mere growth of greed among the office-holding class. When there are people enough settled in Hawaii to require a variety of governments, the variety will naturally come. But while the responsible population barely exceeds ten or twelve thousand, the vast majority being nomadic, one government, economically administered, is enough. Even that is having a hard time trying to make both ends meet.

Honolulu extends a hearty welcome to the officers and men of Admiral Glass's squadron. With the arrival of the Tacoma and the vessels coming from the Asiatic station, the harbor will be as full of warships as during the holidays last year. Plenty of entertainment is promised for the visitors, with a first-class vaudeville company at the Orpheum, a fine program of sports and the freedom of the city for their own amusements.

The New Yorker who has bought two armored cruisers of Chile is the one who bought the old Esmeralda of her ten years ago and transferred the vessel, under the Ecuadorian flag, to Japan. The chances are that the recent purchases will come travelling this way in the next five or six weeks, bound to the same destination.

Italian and Austrian warships will get the same cordial reception in Honolulu as is accorded to the American squadron. Foreign war vessels are always sure of a hearty welcome.

If Honolulu can keep up a steady stream of warships such as will visit the port within the next few weeks, there will need to be no further worry about tourist travel.

THE PROGRESS OF THE WAR.

Dalny, which the Russians have now destroyed, was to have been the crack town of Russia in the Far East. The original purpose was to make it the commercial entrepot of Manchuria, the ice-free port which could not be found on the Siberian panhandle. Accordingly some 60,000,000 roubles were spent in laying out a new town, in building wharves and drydocks and providing railway terminals. Now, in pursuance of the Kuropatkin policy of "masterly retreat," Dalny has been given over to dynamite.

The Japanese deny that railway communication with Port Arthur has been restored, but they hardly needed to do so as the Russian claim of having got through a year's supplies for the garrison on one train threw enough suspicion on the main story to kill it. It may be assumed that a Japanese army as near the railroad as Pitz-ze-wo and Port Adams is near enough to make it improbable that the Russians would expose any valuable trains to its attack.

The army of the Yalu is advancing to Haicheng, a place on the railroad northeast of Newchwang and not far from Liaoyang. The second army, the one which landed at Pitz-ze-wo, is probably represented by an advance division or two which is now awaiting, behind intrenchments and under the guns of the fleet, the arrival of reenforcements. Unless the Russians perform a miracle the situation should resolve itself in the next few days into a siege of Port Arthur on the one hand and an advance against Liaoyang on the other. It is at Liaoyang where Kuropatkin has promised to deliver battle.

So far everything favors the Japanese. The Russians have shown no boldness or fertility on land and their fleet is locked up. Korea is Japanese and Togo commands the sea approaches. From the beginning the Japanese campaign has run as well as did Napoleon's invasion of Italy and it promises, at this outlook, to have as fair a result.

The general desire to have the President see George Davis and gauge the kind of men who are trying to break down the reputable judges of the Supreme Court of Hawaii, has been gratified. Senator Foster piloted the freak attorney to the White House and there he broke loose. Evidently the breakage was violent as Davis expressed his "sorrow" for it afterwards. It is a pity that the rest of the anti-Frear, anti-Perry hui can't be induced to show themselves at Washington, for that would clinch the reappointment of the two judges beyond a doubt. Still if Davis is left there he will do a great deal.

A Japanese publication says that a criminal, under sentence of death at Tokio, was lately called before the court to receive the short notice, given in such cases, of his execution. The judge, after fixing the hour of death, said that the relatives of the condemned man had put into his hands the sum of two yen which the prisoner might spend for choice food. This the man refused to do. He said he wanted his last act to be one of patriotism so he contributed the two yen to the war fund.

Leigh Hunt, who is well-remembered in Hawaii, is one of those soldiers of fortune who "makes the world his oyster." One hears of him now on the Sound, making and losing a fortune in the newspaper business; then in Korea, developing gold mines; and for the present in the Soudan, where he is experimenting with cotton. If he doesn't become the Saharan cotton King he may next organize an Argentine beef trust. All things are possible to Leigh Hunt.

Triplets 80 years old celebrated their birthday a few days ago in Hillsdale, parish of Upham, near Moncton, N. B. The three have lived in the same place all their lives. They are Richard, James and Deborah De Bow, the children of William De Bow. A number of relatives and friends waited upon the triplets and presented to them a purse of money. The triplets are all in good health and appear to have a good chance of reaching the century mark.

There is no doubt that cotton would grow abundantly in Hawaii. It already does so in gardens and before sugar came it was raised for export. The Paradise of the Pacific is probably correct in saying that Japan would afford a market for all the cotton that Hawaii could produce.

As long as Hilo people are satisfied with having all their parks named after Admiral Beckley's ancestors no one else has cause for complaint. Hilo is quite able to take care of itself in that line.

The Conemaugh's Cargo.

Reports from San Francisco by yesterday state that reinsurance on Conemaugh has been placed at [illegible] per cent. The vessel has been past overdue. The Conemaugh sailed for Honolulu with 2,503 tons of sugar, sugar, which is all insured, was as follows: Castle & Cooke, [illegible] Brewer & Co., 170 tons; Hackfeld & [illegible] 429 tons; Davies & Co., 293 tons, [illegible] fer & Co., 61 tons, and Alex[illegible] Baldwin, 342 tons. The [illegible] out 19 days. She is sold [illegible] at the time she [illegible]

FORESTS ON KAUAI

Hosmer Gives the Results of Visit.

Ralph S. Hosmer, Superintendent of Forestry, who made the tour of Kauai with Governor Carter, is enthusiastic over the forestry possibilities of the Garden Isle.

"The Island of Kauai is in many ways one of the most interesting of the group," said Mr. Hosmer yesterday. "Because of its broken and mountainous topography Kauai is wonderfully attractive from a scenic point of view, and being the home of many of the owners of the larger sugar plantations is a delightful island to visit.

"On Kauai there is an exceptionally good opportunity for forestry work. On the higher mountains in the center of the island the original forests are still intact, and although there has been encroachment on those on the lower levels, the plantation owners are awake to the desirability of preserving them and setting them aside as forest reserves.

"Several private forest reserves already exist, notably the one above the Lihue plantation, where the Isenbergs have maintained for a number of years a forest fence some eight miles in length, shutting off the cattle from the upper lands. As a consequence the trees are coming back on the partly denuded slopes and before long a dense stand of native trees and shrubs will be the result.

"This reserve should be increased by the extension of the fence in either direction. Propositions in regard to this have already been submitted and it is practically only a question of the arrangement of details when the work will be done.

"Elsewhere on Kauai there are other propositions looking to the reservation of the upper forest lands, from which comes the water used in irrigating the cane fields and which is also potentially valuable because of its power. Among those looked into on this trip were the proposed reserves on the lands of Hanalei and Kalihikai in Halelea, that above the Kilauea sugar plantation in Koolau, and the mountain slopes behind the Kealia plantation of the Makee Sugar Co.

"Beside the natural forests on Kauai there is a considerable area of planted forest, especially on the Lihue plantation. On the slopes of the old crater of Kilohani, over 600 acres have been planted with forest trees—iron-wood and native koa being the two species most used although there are a number of other sorts in the forest, including monkey-pod, black wattle and silver oak. This plantation was started some twenty years ago by a professional forester, brought out by the Isenbergs from Germany, and has been continued and cared for up to the present time. Many of the trees in the forest have now reached a large enough size to be of merchantable value and all the fuel for the plantation is now supplied from the thinnings which are made in the places where the trees stand too densely for their own good. The better trees are allowed to remain while the poorer specimens are cut and utilized, at once putting the forest in better shape and bringing in a return on the money invested. The iron-woods make a good growth and are thrifty trees, especially at the lower elevations, for above 600 or 700 feet they do not grow so well as nearer the sea.

"Besides the upland forest there have been a number of good sized areas of iron-woods planted makai. These plantations are primarily made as wind breaks to protect the sugar cane growing near the sea. They are highly successful examples of what can be accomplished by intelligent effort in the right direction.

"About a number of the homes of the leading men of Kauai can be found specimens of rare and valuable trees, some of which may one day be of great importance in this Territory.

"Especially active in the importation of new and untried trees have been Mr. Geo. N. Wilcox and the Rev. Hans Isenberg. The experiments made by these gentlemen will, I believe, be of lasting influence.

"There is one other point I should like to mention—that is the interest which is taken by some of the teachers in beautifying their school grounds. Especially noteworthy is the work done by Mr. I. C. Davis, principal of the Hanalei school. During the last five years Mr. Davis has set out on his school grounds a considerable variety of palms and crotons, as well as surrounding the place with a wind break of kamani trees. The lawns are well kept and altogether the grounds are as attractive as any one could desire, comparing favorably with those in Honolulu itself. A well cared for school vegetable garden, where each of the pupils has his own plot, and baseball and croquet grounds bear testimony to the fact that the Hanalei teachers believe in all around development of mind and body.

"If all our school yards were as well provided for and taken care of as the one at Hanalei it would add much to the attractiveness of the Islands and could not but exert a good influence on the rising generation.

"In this connection it may be in place to say that although the general distribution of plants has been discontinued at the Government Nursery, there may still be obtained, free, upon application, plants and trees for use in school yards and on other government lands.

"Personally, the trip to Kauai was a delightful one to me. One [illegible] before seeing anything [illegible] with the beautiful [illegible] of Hawaii [illegible]

LOCAL BREVITIES.

(From Wednesday's Advertiser)

Mr. John Cummins is reported to be very low.

James Webster has been appointed manager of Pepeekeo plantation in succession to Henry Deacon.

Mrs. Carter and children will accompany Governor Carter on his trip to Washington and the Chicago convention.

Dr. Judd will be at the Free Dispensary on Tuesdays, Thursdays and Saturdays from 10 to 11 o'clock each morning.

A wireless was received from Governor Carter last night stating that the party would return on the Mikahala this morning.

Admiral Glass has taken rooms at the Moana Hotel and will remain there during the stay of the warships in port. Mrs. Glass is expected to arrive on the S. S. Mongolia.

W. A. Bryan, formerly of the Bishop Museum, is now engaged in working up the Dean Worcester collection of Philippine birds for the Michigan University in Ann Arbor.

There were a number of bond sales reported on the stock exchange yesterday: $10,000 Kahuku sold at par, $1000 Hawaiian government at par and $2000 Oahu Railway sold at $104.

Judge Gear appointed H. E. Highton, J. A. Matthewman and C. F. Peterson, attorneys, as appraisers of the late Judge Estee's property here, which consists mostly of his law and general libraries.

(From Thursday's Advertiser.)

F. M. Hatch is expected home in the Mongolia.

F. J. Testa is allowed further time to plead to indictment for criminal libel until tomorrow.

Director Jared G. Smith of the Federal Experiment Station has gone to Hamakua to inspect the trial crop of tobacco at Louisson's place.

A Porto Rican prisoner, named Jose Torres, serving five years, escaped from the chain gang at Kapiolani Park yesterday, and was recaptured in the McCully tract.

Col. Sam Parker will give a luau to the Likelike officers and crew on arrival of the vessel at Kawaihae. The Likelike sailed last evening for Kawaihae to take on a load of cattle.

The steamer Likelike carried mail yesterday for Lahaina intended to be transferred across the island of Maui to Kahului where it will be loaded on the American-Hawaiian steamship Nevadan for shipment to San Francisco.

An executive session of the trustees of the Chamber of Commerce was held yesterday afternoon. Reports by committees were presented and read, but no action was taken regarding them. They will be brought up again at an adjourned meeting. Letters from the Philadelphia Commercial Museum, already published in the Advertiser, were read.

The grand jury was investigating Chinese gambling cases yesterday.

Dr. W. A. Schwallie has sued the Kamalo Sugar Co. for $652.70 on a promissory note.

Albert Chambers, late manager of the Chambers Drug Co., intends leaving for the Coast.

Senator Brown, wife and daughter are expected home from the Orient on May 21 in the Siberia.

Edward Gilsey was sentenced to six months in prison yesterday for throwing a lamp at his wife.

R. T. Halsey, immigration inspector, has gone to look over the Chinese inhabitants of Hawaii and Maui.

If the lawyers come to time, three Circuit Court juries ought to be bucking into the calendar next week.

The police are looking for a gang of chicken thieves said to be operating in Pauoa. Warrants have been issued for the arrest of a couple of boys charged with the larceny.

Home Rule party stayers are credited with an intention to keep the proceedings of party councils secret, as the revelation of desertions is working havoc with the spirit of the party on the other islands.

Captain Underwood of the schooner Robert Lewers is reported by an evening paper as holding the opinion that the submerged rocks in the sailing route between Honolulu and San Francisco are mythical.

Supt. Holloway has issued an order providing for the rigid enforcement of the rules relative to the use of water for irrigation purposes. Consumers [illegible] use water for irrigation only be[illegible] 6 and 8 a. m. and 4 and 6 p. m.

Captain Hamlet of the Thetis [illegible] consultation with Collector E. R. [illegible] able relative to the services to [illegible] the revenue cutter may be put [illegible] waiian waters now that she is here. Both gentlemen called on Governor Carter yesterday.

The valuable rice plantation of [illegible] F. Lansing, at Waia[illegible] and W[illegible] this island, is to be sold at public auction by Jas. F. Morgan tomorrow at his salesrooms. This [illegible] opportunity for investment [illegible] Morgan's column today for particulars.

DEMOCRATS WILL PUT UP A TICKET

[illegible] organizer of [illegible] intention of the [illegible] put a full ticket [illegible] November. While there [illegible] tation of election [illegible] tes, it is hoped t[illegible] will be the first [illegible]

HONOLULU STOCK EXCHANGE.

Honolulu, May 12, 1904.

NAME OF STOCK.	Capital.	Val.	Bid.	Ask.
MERCANTILE.				
C. Brewer & Co.	$1,000,000	100	.....	.....
SUGAR.				
Ewa	5,000,000	20	19½	20½
Haw. Agricultural	1,200,000	100	.....	.....
Haw. Com. & Sugar Co.	2,312,750	100	45	50
Hawaiian Sugar Co	2,000,000	20	21	22
Honomu	750,000	100	.....	.....
Honokaa	2,000,000	20	.....	14
Haiku	500,000	100	.....	.....
Kahuku	500,000	20	.....	18½
Kihei Plan. Co., Ltd.	2,500,000	50	.....	.....
Kipahulu	160,000	100	.....	.....
Koloa	500,000	100	.....	.....
McBryde Sug. Co., Ltd.	3,500,000	20	2	.....
Oahu Sugar Co.	3,000,000	100	.....	88
Onomea	1,000,000	20	.....	.....
Ookala	500,000	20	.....	.....
Olaa Sugar Co., Ltd.	5,000,000	20	.....	.....
Olowalu	150,000	100	.....	.....
Paauhau Sug Plan Co.	5,000,000	50	.....	.....
Pacific	500,000	100	.....	.....
Paia	750,000	100	.....	.....
Pepeekeo	750,000	100	.....	145
Pioneer	2,750,000	100	.....	77½
Waialua Agri. Co.	4,500,000	100	.....	40
Wailuku	700,000	100	.....	.....
Waimanalo	252,000	100	.....	160
STEAMSHIP COS.				
Wilder S. S. Co.	500,000	100	.....	.....
Inter-Island S. S. Co.	800,000	100	.....	.....
MISCELLANEOUS.				
Haw. Electric Co.	500,000	100	98	.....
H. R. T. & L. Co., Pd	.....	.....	.....	100
H. R. T. & L. Co., C.	1,000,000	100	.....	80
Mutual Tel. Co.	150,000	10	.....	.....
O. R. & L. Co	4,000,000	100	.....	75
Hilo R. R. Co.	1,000,000	20	.....	.....
BONDS.				
Haw. Gov't., 5 p. c.	.....	.....	.....	.....
Haw. Ter., 4 p. c. (Fire Claims)	.....	.....	.....	.....
Hilo R. R. Co., 6 p. c.	.....	.....	.....	.....
Hon. R. T. & L. Co., 6 p. c.	.....	.....	104	.....
Ewa Plant., 6 p. c.	.....	.....	100	.....
O. R. & L. Co.	.....	.....	.....	104½
Oahu Sugar Co., 6 p. c.	.....	.....	.....	.....
Olaa Sugar Co., 6 p. c.	.....	.....	.....	.....
Waialua Ag. Co., 6 p. c.	.....	.....	.....	100
Kahuku 6 p. c.	.....	.....	100	.....
Pioneer Mill Co. 6 p. c.	.....	.....	.....	.....

SALES BETWEEN BOARDS.

$2000 Kahuku Bonds [illegible]

METEOROLOGICAL RECORD.

By the Government Survey, Published Every Monday.

Day	Apr.-May	Barom. 9 a. m.	Barom. 3 p. m.	Therm. Min	Therm. Max	Rainfall	Humidity	Clouds	Wind	Force
S	[illegible]	10	30.04	69	78	.17	70	7-4	[illegible]	1-8
S	[illegible]	11	30.03	71	77	[illegible]	10	9-7	[illegible]	1
M	2	10	30.04	70	78	[illegible]	[illegible]	1	[illegible]	1-8
T	3	0	30.0	71	78	[illegible]	[illegible]	4	[illegible]	1-8
W	4	10	30.05	70	[illegible]	.03	64	2-1	[illegible]	8
T	5	12	30.07	69	78	[illegible]	[illegible]	2	[illegible]	1
F	6	30	30.5	72	78	[illegible]	[illegible]	[illegible]	[illegible]	1-8

Barometer corrected to 32° and sea level, and for standard gravity of Lat. 45. This correction is —.04 for Honolulu.

TIDES, SUN AND MOON.

Day	M	Day	High Tide Morn.	High Tide Aftern.	Low Tide Morn.	Low Tide Aftern.	Sun rises	Sun sets	Moon rises	Moon sets
			p. m.	p. m.	a. m.	p. m.			a. m.	
M	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
T	10	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
W	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
T	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
F	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
S	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
S	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
M	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

[illegible] May 11th, at [illegible]

The [illegible] the tide are taken from the United States Coast and Geodetic Survey [illegible]

The [illegible] than at Honolulu [illegible]

[illegible] hours [illegible] minutes [illegible]

PRESIDENT HAS NOTHING FOR DAVIS

Attorney Reaches the Nation's Capital.

(Mail Special to the Advertiser.)

WASHINGTON, D. C., April 30.—The most important incident of recent days, as regards Hawaii, has been the visit of George Davis, of Honolulu. He tarried but a brief time but before departing was accompanied by Senator Foster of Washington to the White House where he saw President Roosevelt. Mr. Davis likewise saw other prominent officials of the government, to whom he made a strong appeal for some relief from the order of the court, affecting his qualifications to practice his profession in Hawaii. Personally Mr. Davis was much affected by his plight and he was completely overcome with emotion during his talk with President Roosevelt. After the interview Mr. Davis expressed his regret that he had allowed his feelings thus to get the better of him.

Some action on the report which United States Attorney Breckons sent here last fall is expected. At least the bulky document is being very carefully studied to determine whether Mr. Davis deserves any relief and whether, in that case, there is any way for the government to grant him relief. As to what the outcome will be no one here now undertakes to say, although the chances seem to be that nothing can be done. Mr. Davis has already left Washington but how soon he intends to return to Hawaii is not known here.

MACKINTOSH IN WASHINGTON.

Rev. Dr. Mackintosh, canon of the English Episcopal Church and rector of the English Cathedral at Honolulu, is here, accompanied by his wife and by Miss Von Holt. They expect to leave this afternoon to resume their journey. They have been stopping at the St. James Hotel.

Delegate Kalanianaole expects to tarry here a few days yet,—although Congress has adjourned. It is probable that he will in the course of a week or two accompany his wife to San Francisco and there await the arrival of Gov. Carter and the other delegates to the Chicago convention and then return with them to Chicago.

In the very last days of the session the Oahu railway and land company bill to secure a right of way through the military reservation of Kahauiki passed both Senate and House and received the signature of the President. It first appeared in the House and Senator Foraker pressed it at his end of the Capitol. Otherwise it would not have become a law. The bill passed without debate in either House.

HAYWOOD IMPROVING.

Mr. William Haywood, representing the Hawaiian Chamber of Commerce here, has been very ill with pneumonia. His condition at one time was extremely critical but he is now convalescing.

Mr. E. P. Dole, former attorney general of Hawaii, is still a guest at the Riggs House. He stated last evening that he did not expect to return to Hawaii for several weeks yet.

A House Committee of five is investigating the general question of immigration this summer and another committee, both being sub-committees of the House Committee on Immigration, is studying the advisability of a bill introduced by Representative Adamson to restrict immigration from any one country to 80,000 people a year. It is doubtful if the work of either of these committees affects Hawaiian interests in immigration except in a remote way. The legislation in the General Deficiency Appropriation bill, to remove any doubt as to the efficacy of the general Chinese Exclusion law, removes that statute from the realm of further dispute.

The language of the Fortifications law, as signed by the President, in providing appropriations for Hawaii is as follows, under the heading "Fortifications in Insular Possessions":

"For procurement of land needed as sites for the defenses of the Hawaiian Islands, $200,000."

KUHIO DEFENDS ISLANDS.

Delegate Kalanianaole has written a letter to the Evening Star of this city in response to a letter published in that paper recently from its correspondent in Honolulu. The statements of that correspondent with reference to native women are the subject of the Delegate's letter, which runs as follows:

"[illegible] publish-ed a letter [illegible] in this city [illegible] I [illegible] the [illegible]

[illegible] throne. Kamehameha III voluntarily gave his people a constitution guaranteeing them substantially the civil and religious liberty which we enjoy under our state and national constitution (this was in 1840), there has been constitutional government for sixty-four years, and life and property have been safe for more than 100 years.

"The monarchs of the Hawaiian race, whatever mistakes they may have made, have been innocent of bloodshed and cruelty for the past 100 years, to an extent almost unparalleled in history. They have also given property worth many millions of dollars for educational and charitable uses.

"The people of the Hawaiian race have enjoyed the evils and blessings of civilization for less than 100 years. During that time they have certainly made more progress than the inhabitants of Britain did, in the first 100 years after the invasion of Julius Caesar. Even their enemies admit that they are a generous, courteous and kindly people. They are a people who are disposed to do what is right and always can be reasoned with by a man who understands their point of view and gifted with tact. They are no different than any other people in this respect. This explains Governor Carter's success with the legislature, and while it is creditable, it is equally an answer to unjust slurs upon the native race.

"A person might easily live in the territory of Hawaii, during a long life time, associate with the people and be actively engaged in business and politics without ever seeing a leper. Leprosy is there, and its existence there is more widely commented upon, and more generally known, for the very reason that lepers are rigidly segregated, kept by themselves in a spot inaccessible to the public. While in nearly every other part of the world they go where they please, mingle with their fellow men and are not generally known to be lepers.

"No doubt Hawaiians are more or less careless in respect to catching and communicating diseases. They have the quality in common with the rest of the human race, but I have never seen and never known of such utter disregard of precaution as the writer of the letter referred to apparently considers characteristic of them.

"There are bad people everywhere, and among all nations and all nationalities, the Hawaiian race not excepted, but it is extremely unfortunate for the Hawaiian people generally and as a whole, that writers like the one signing himself 'Kamehameha' always characterize and represent them according to a standard of the lower element, instead of judging them as a whole—in other words—the worst that can be said is always told, the good never gets into print. The people of any nation or race could have their general reputation ruined and placed at a low ebb, represented on the same lines by writers like this alleged 'Kamehameha,' who cannot be what he represents himself, for if he was, he would not cast stones upon his own people.

"J. KALANIANAOLE,
"Delegate from Hawaii."

There is nothing new here about the appointment of Supreme Court judges for the territory. The subject has not been taken up by the Department of Justice but the Hawaiian delegate has been in correspondence with Gov. Carter about it. The prophets here say that Judge Hartwell is a more likely nominee for the third place than Ex-Minister Hatch.

Representatives B. F. Spalding, of North Dakota, and George L. Lilley of Connecticut, both members of the House Committee on Territories, may take a trip this summer to Hawaii. They have discussed the subject with considerable favor and, if they can arrange their affairs, propose to spend several weeks on the islands.

ERNEST G. WALKER.

GAY'S MONARCH OF ALL HE SURVEYS

Charles Gay's overlordship of the Island of Lanai is now complete. Frederick H. Hayselden, administrator with the will annexed and trustee under the will of Walter Murray Gibson, deceased, by a deed just recorded conveys to Mr. Gay all of the right, title and interest which the grantor may have, either in the above-mentioned capacity or in any other way, in or to all of the remaining unsold and undisposed of chattels, property and effects of the Maunalei plantation's quarters on the Island of Lanai, covering more specifically everything included within the two-thirds interest conveyed to him in the capacity mentioned by bill of sale of Charles Gay dated April 30, 1903, but excepting and reserving from the material so sold a quarter of a mile of fluming and flume material to be removed by him (Hayselden) within three months after the date of the deed, which is April 18, 1904.

The consideration named is $2000. It is said that, possibly barring some little kuleanas, the ownership of Lanai is made complete to Mr. Gay by the transaction here described. The bill of sale mentioned in the deed released and quitclaimed to Mr. Hayselden a two-thirds interest in the ahupuaa of Palawai theretofore owned by the Maunalei Sugar [illegible] excepting the telegraph station [illegible] provided that they should be [illegible] within twelve months.

THE LETTER WHICH PRINCE KUHIO COMPLAINED OF

Nothing to Get Excited About---A Reasonable Statement of How Things Have Been Going in Hawaii.

Following is "Kamehameha's" letter in the Washington Star of April 26, which brought out a reply from the Delegate:

HONOLULU, April 12, 1904.—Governor Carter seems after all, to the general surprise and gratification, to be having things entirely his own way with the newly met legislature. This is only their fifth day of session, and if all things run as smoothly as they have begun, they will finish their very important work within one week more. The territory has been and is in a most severe financial strait. The governor has been giving himself most resolutely, and it is believed with skill, to devise the best financial methods to solve its difficulties. Having elaborated his plan he has convened the legislature in extra session to give it legal authority. It is the same body of men who a year ago recklessly squandered time and money for four months fruitlessly. A majority then displayed the greatest disregard for legislative propriety and honesty. It was naturally felt that neither reasonable nor efficient dealing could be expected from the same men in acting upon the difficult financial conditions.

THE FINANCIAL CONDITIONS.

To state briefly what these are: The revenue of this territory was, by annexation, cut in half, in consequence of the transfer to the federal government of all revenue from the customs and post office, leaving the territorial government only the taxes to depend upon, besides a number of sources of income, such as waterworks and rent of wharves and public lands. The treasury was in a somewhat plethoric condition when annexation came, and for the past four years we have been living upon our own accumulated fat. But this has come to an end, and the government has been finding itself confronted with a monthly expenditure of say $70,000, and an income of only $40,000.

For the past six weeks Gov. Carter has been diligently applying himself, with the aid of the several heads of departments, to the almost desperate task of cutting down expenditures nearly one-half. This task he has accomplished after a fashion, and probably as judiciously as was possible. A large number of salaried positions have been struck out. There has been a general reduction in the amount of salaries, especially of the larger ones.

The appropriation to volunteer military is abolished, dispensing with such display. The band is dismissed, with its music, which for over thirty years has delectated the public on all occasions. The subsidy to the Queen's Hospital is withdrawn, threatening to leave much suffering unrelieved. The costly system of education is sorely cut into. The board of health is largely cut down. Road and street improvements are remorselessly contracted, except as some of them are provided for under a liberal loan act. Altogether the whole public system is placed on short commons.

WARNED AGAINST LEGISLATURE.

Such is the governor's scheme, all elaborated in full schedule, published and submitted to the legislature. The business community regarded it with favor, as an unavoidable economic necessity, but how would the legislature, largely composed of Hawaiian natives, receive it? Their treatment of such matters in previous sessions had been largely irrational and might be described as "monkeying." What ground was there for hoping now for reasonable and efficient dealing? The young governor was earnestly warned against trusting the business to the legislature. There was another method possible of managing it. It grew out of a provision in the organic act enabling the executive in the absence of appropriations to fall back on older appropriations. It had resulted from the legal invalidity of the county act, that all the appropriations adapted to the neutralized county system had become invalidated, and the way seemed open to let the executive arrange his own system of expenditures. This he was earnestly by many counseled to do, in distrust of the legislature.

Wisely, as it would appear, the governor discarded that policy of dihtrust, and summoned the legislature to act. He has preferred to trust to the popular, even if the people are largely incompetent Polynesians. In any case, within a year a new set of men from the same constituency would have to come together with full powers. It seemed better to act in accord from the beginning, with the popular body, however defective their past record.

THE LEGISLATURE RESPONSIVE.

And they seem to be answering very nobly and worthily to his confidence. These same men, who a year ago in the lower house, both republicans and home rulers, pursued a course of both unreason and gross corruption, came together last week with full purpose to accept entire the governor's financial schedule and railroad it through without discussion or alteration. This they are actually carrying out. There are two or three dissentients, men who were prominent evil workers last year. But now these malcontents are promptly overridden and silenced by the overwhelming majority of the governor's supporters. It is a remarkable phenomenon. The only tendency to difficulty is in the senate, where is a majority of very intelligent whites. These men naturally see points where the governor's figures and plans might be amended, and incline to make such amendments. But rather than arrest or interfere with the wholesome disposition of the lower house, the senate will probably forego urging their amendments.

NATIVES WON BY GOV. CARTER.

Altogether it is a phenomenon. I incline to account for it by what is a peculiar Hawaiian trait, to gather enthusiastically about a leader who gains their confidence. Soon after assuming the office of governor George R. Carter made an active political tour of the large islands of Hawaii and Maui. There he diligently and very successfully got himself en rapport with the native voters and their leading men. He evidently exercised a large personal magnetism, and fully got the confidence of the people at large. Now they are enthusiastic in his support, answer eagerly to his voice and are ready to do just what he tells them. I do not know how else to account for it. I have myself lacked any full confidence in Carter, not from any serious fault in him, but from his youth and hastiness. It is now growing evident that there is certainly something importantly valuable in the young man. In Washington he succeeded in gaining the warm confidence of President Roosevelt, and we may be glad that he seems not likely to discredit it.

REGISTRAR THRUM RETIRES AFTER SIXTEEN YEARS' SERVICE

Thomas G. Thrum, the veteran Registrar of Conveyances, has resigned his office after over sixteen years of faithful service. The following correspondence passed between him and the Governor:

Bureau of Conveyances,
Honolulu, May 3rd, 1904.

His Ex. G. R. Carter, Governor Territory of Hawaii.

Sir: Upon due consideration of your desire to make applicable at once the reduction of expenditures in the various departments of the Government service, in accordance with the recent appropriations of the Legislature I beg respectfully to resign my position as Registrar of Conveyances to take effect on the 16th inst., believing that I best conform to your policy of retrenchment instead [illegible] for the [illegible] of my compensation.

And in [illegible] rival from Kauai, and I regret the cause that necessitates the resignation of your position, after so many years of service for these Hawaiian Islands; and it affords me pleasure to state that your duties have always been performed with dispatch, accuracy and interest.

Yours sincerely,
G. R. CARTER,
Governor.

Mr. Thrum first entered the government service in January, 1888, as Registrar of Conveyances under L. A. Thurston, then Minister of the Interior, Kalakaua was then King. Mr. Thrum has remained in charge of his office through four successive changes of government. He served under the following Ministers of Interior: L. A. Thurston, Charles N. Spencer, G. N. Wilcox, John F. Colburn and J. A. [illegible] also under J. A. McCandless as Superintendent of Public Works. Soon after [illegible] tion the registry [illegible] placed under [illegible] Thrum served [illegible] W. Wright and [illegible] During his [illegible] Thrum had [illegible] has taken [illegible] the governm[illegible] under discus[illegible] Thrum [illegible] Board [illegible]

CASE OF THE LEPER COLONY.

Among the heaviest of these public expenses which it is impossible greatly to abridge is that of maintaining in due comfort the leper colony on Molokai. The site of this settlement is on the island near to this one, and is fairly in sight from the eastern end of the electric road over fifty miles away. It occupies a low peninsula of about eight square miles area, at the foot of a nearly impassable precipice of 1,500 feet, which wholly isolates it from the rest of the island. It is a lovely spot, swept by the bracing trade winds. A copious supply of water for gardens and taro culture is led by pipes from a neighboring valley. Here dwell in great comfort nearly 900 victims of leprosy, the great majority of whom are nearly or quite free from serious suffering. The disease of leprosy is not attended with pain, except in its later stages, when the vital organs begin to be seriously invaded. It is anaesthetic, or painless, in its disfiguring ravages. Among its earlier manifestations are portions of the skin becoming insensible to pain. Swellings appear on the face, ears, hands and feet, parts exposed to the light. These are followed in time by numerous ulcerations. Joints of the fingers and toes ultimately separate. But at all the time there is no pain, and the maimed hands and feet cicatrize and heal. Death usually comes from disease of lungs or bowels, which the malady has impaired in their action.

A LIFE OF EASE AND COMFORT.

Thus a colony of lepers is not characterized by any general distress. They live in great ease and comfort. Perhaps one-tenth of their number are weak or ill enough to be in hospital, where they are well cared for. The rest lead lives of comfort greater than that of a majority of their fellow Hawaiians. Rations are abundant. All necessaries and housing are amply supplied. There are a few score of well persons among them who have been permitted to live there as kokuas, or helpers, of feeble relatives. These kokuas often try to pass as lepers in order to remain after the death of their relatives and enjoy the easy life. The villages are very attractive with nice cottages and pretty gardens. A liberal and judicious expenditure by the government for forty years has developed a very perfect system of management. The present very capable head of the settlement, "Jack" McVeigh, reports great interest of late in athletic exercises. A race track is much in vogue. Numbers practice forming pyramids, climbing on each others' shoulders.

CARELESSNESS OF THE NATIVES.

Most of the lepers are native Hawaiians. Not five per cent belong to other races, although Hawaiians form only one-fourth of the inhabitants of this group. This is doubtless due in part to a less tendency in Europeans and Asiatics to contract the malady which has for ages existed among those races, so that they are comparatively immune. But it is much more the effect of the utter absence among Hawaiians of any precaution against communicable diseases. A Hawaiian always mingles with infected persons of any sort with absolute carelessness. They seem incapable of grasping the idea that contact with a diseased person can impair one's safety. I have personally witnessed the strangest carelessness in the matter of leprosy. I have seen at a receiving station visiting friends passing pipes from mouth to mouth through the palings between the well outside and the hideously disfigured faces within. I have seen in their homes lepers and well persons eating with their hands from the same dishes. I have seen children in a remote country school with arms entwined with a leprous child, whom neither parents nor teacher had thought to segregate.

THE ONLY SALVATION.

The only salvation from leprosy is rigorous segregation of the afflicted ones. Yet we find to this day apparently learned writers maintaining that it is not a contagious or communicable disease, although its peculiar bacillus is well known, and its presence is a common test for incipient leprosy, whose symptoms are often simulated by other maladies. To one like myself who has watched the development of a large number of cases it seems strange that its communicableness should be thought open to the slightest doubt. Between thirty and fifty years ago the writer was located at Lahaina, which was the chief center from which the infection spread. Lahaina was the home of the native chief who contracted the malady in China about sixty years ago and brought it home with him. In that place I could trace its transmission from person to person, and its often rapid spread in individual households. It was not until about 1858 that the name of the strange malady became known through the visit of a physician to China, although before that time it had attracted attention, and I had noticed the peculiar tubercles on the faces and ears of pupils in a school which I taught.

COMMUNICATED BY KISSING.

I am well satisfied that the chief method of communicating leprosy among natives is by kissing, which they are fond of practicing. Hence the frequent infection of young children. The saliva of a leper abounds in the bacillus leprae more than any other secretion of the body. There have been notorious cases where white infants have thus been infected by native nurses. Apparently the danger is small of being infected by ordinary contact with a leper. The majority of our foreign population would have fallen victims during childhood when lepers were but slightly segregated here. Leprosy is doubtless much less readily communicable than pulmonary tuberculosis. Segregation is now enforced with [illegible] strictness, and the few lepers [illegible] settlement are carefully [illegible] away. I have met none for many years.

KAMEHAMEHA.

$1000 FOR J. C. AXTELL

The Second Trial of Famous Suit.

After an absence of an hour and twenty minutes, the jury last night found a verdict for J. C. Axtell, plaintiff, against H. E. Hendrick, defendant, assessing the damages at one thousand dollars.

Mr. Robertson noted exceptions to the verdict and gave notice of motion for a new trial.

The plaintiff sued for $10,000 damages on account of malicious prosecution for alleged embezzlement.

The trial had lasted seven days and a night. Following are the names of the jurors: James Armstrong, foreman; R. F. Vickers, Douglas Kaone, Sam. Nowlein, F. H. Armstrong, E. B. Clark, J. J. Sullivan, H. A. Parmelee, J. J. Egan, E. R. Bivin, Jas. Brown, and Emil A. Berndt.

Mr. Robertson began his closing address for the defendant to the jury at 4 p. m., concluding in one and three-quarter hours. Recess was then taken until 7:30.

Mr. Bitting began his address for the plaintiff at the opening of the evening session and spoke for an hour and twenty minutes.

Judge Gear occupied ten minutes in delivering the instructions to the jury, exceptions to portions of which were noted by both sides.

At 9:07 the jury retired to consider the verdict, which was returned at 10:27.

A jury before Judge Robinson found a verdict of $5000 damages for Axtell, which was set aside as excessive and a new trial ordered by the Judge.

S. M. Damon filed a $25,000 bond yesterday, as guardian of the estate of T. R. Keyworth, an insane person. The surety is the United States Fidelity and Guaranty Co., signing by R. W. Shingle and A. Lewis Jr., its attorneys in fact. Judge Gear approved the bond, also allowed the guardian $2037.-35 on account of advances by T. H. Davies & Co., Ltd., legal expenses, etc. An inventory of the estate shows the following property, besides two boxes of silverware not valued:

Hawaiian Government bond	$ 1,000.00
20 shares Sachs' Dry Goods Co.	2,000.00
25 shares Ookala Sugar Co.	500.00
30 shares Oahu Sugar Co.	3,000.00
Certain mortgage	4,000.00
Cash in Bishop & Co.'s bank	10,723.24
Note and savings bank deposits	1,412.35
Total	$22,635.59

INJUNCTION SUITS.

Judge Robinson gave a final hearing yesterday, promising a decision as early as possible, of the injunction suit of William McCandless against Lee Chew. It is to restrain defendant from removing buildings off of a leasehold at Palama. J. A. Magoon and J. Lightfoot appeared for the plaintiff, and R. W. Breckons for the defendant. In the course of the hearing court and counsel visited the premises in question.

Castle & Withington, attorneys for American Hawaiian Engineering Co., file an exception to Judge Robinson's decision that ordered certain passages struck out of the answer to the bill for injunction brought by John Lucas to enjoin the Brewer's wharf contract.

APPEALS SENT UP.

The following appeals from the Honolulu District Court were filed in the Circuit Court yesterday:

Albert Ludloff vs. A. F. Franca, claim of $75 on a horse deal. Defendant admitted a debt of $40 and no more. District Magistrate Lindsay gave judgment for plaintiff with costs, a total of $32.

Partners in Hop Wo Chong vs. A. Morimoto, judgment for plaintiffs in $105.40, full amount claimed with costs.

C. W. Booth vs. Ah Wai et al., judgment for plaintiff for summary possession of land at Kamoiliili, together with rent due and costs amounting to $128.-55.

Clarence W. Ashford vs. Honolulu Rapid Transit & Land Co., suit for the statutory penalty of $100 on each of three counts, or $300 in all, on account of alleged refusal of defendant to carry plaintiff, after demanding and receiving his fare, to his destination on a King street car. Judgment was given for defendant.

ESTATES OF MINORS.

John P. Dias, guardian of A[illegible] Botelho, minor, files an inventory [illegible] the ward's estate at $761.90. [illegible] d' Amular, guardian of Guilherm[illegible] telho, minor, values the ward's estate at $761.55. More than half the amount in each case came from a death benefit on the membership of the minors' fathers in the Portuguese Mutual Benefit Society.

DREDGING CASE DISMISSED.

Judge De Bolt [illegible] motion of Hackfeld & Co. [illegible] for a new trial of the [illegible] Hackfeld dredging [illegible] was sailed to the [illegible]

NEWSPAPER ARCHIVE®

ATTORNEYS WANT FEE

Kepoikai's Single Handed County Act Case.

(From Thursday's Advertiser.)

Kinney, McClanahan & Cooper's suit against Auditor J. H. Fisher for a counsel fee of $500 in the suit of A. N. Kepoikai, Treasurer, against C. S. Holloway, Superintendent of Public Works, was argued and submitted before the Supreme Court yesterday. Messrs. Cooper and Derby appeared for the complainants, and E. C. Peters, Deputy Attorney General, for the respondent. Mr. Derby was on the witness stand to testify to the reasonableness of the charge. He told of the work done and spoke of there having been $97,000 worth of property in the suit in question, which was to prevent the handing over of the water works to the county authorities. This was before the County Act was declared null and void by the Supreme Court in a different suit.

Mr. Cooper argued against the proposition that other heads of departments were under the control and direction of the Attorney General, whenever a legal question arose as to their rights and powers. Three cases were instanced by the speaker in his own experience as Secretary of the Territory and as Superintendent of Public Works, wherein the opinions of the Attorney General were disregarded and contested and the positions taken against such opinions sustained by the Supreme Court. He treated as absurd the idea that the Attorney General's department could furnish counsel for both sides in disputes between itself and any other department or between any two departments of the Government.

Mr. Peters, replying, said that Mr. Cooper had "smoothed over" the real issue in the case. This related to the limitations of the Treasurer's office. He held that the only functions of the Treasurer were to receive and pay out the Government's revenues, so far as the financial interests of the Territory were concerned. It was denied by the speaker that Mr. Kepoikai had possessed any official power as Treasurer to interpose himself between any other officers of the Government.

"I, A. N. Kepoikai, Treasurer of the Territory of Hawaii," the speaker unconsciously rhymed in describing the attitude the former Treasurer assumed in the matter at bar, "forbid Mr. Holloway and Mr. Brown to dispose of the water works." Mr. Peters contended that Mr. Kepoikai went beyond his authority of law when he interfered on that occasion.

There were humors of the argument. Mr. Cooper spoke of Mr. Kepoikai's having "worn the stairs" leading to the Attorney General's office in vain endeavor to obtain a conference with that official.

An allegation of the complaint was abandoned because Mr. Kepoikai was not present to testify to it, and when Mr. Cooper expressed some regret for Mr. Kepoikai's absence Mr. Peters made the court laugh by naively suggesting that the hearing be continued until Mr. Kepoikai could attend.

Mr. Peters, in the cross-examination of Mr. Derby, remarked that if their college education were to be charged up in every bill to their clients, lawyers would be in pretty easy circumstances. Reference was to the plea that Kinney, McClanahan & Cooper had a right to have considered the degree of mastery of details in the County Act which they had acquired in conducting the previous case of Cooper vs. Governor Dole, Board of Supervisors, et al.

THE DAMAGE SUIT.

Yesterday progress was made with the defendant's case in the malicious prosecution suit of J. C. Axtell vs. H. E. Hendricks. The deposition of defendant's father in New York was, on objection by plaintiff, refused to be admitted by Judge Gear because of some informality in the papers.

LETS HER CHILDREN GO.

After a further hearing yesterday morning, Judge Gear granted a divorce to Helen Clara Fonseca against Joseph Fonseca. Custody of the five children was awarded to the divorced husband, with the evidently free consent of their mother.

LAND TITLE REPORT.

Enoch Johnson, examiner of titles, has made a report to Judge P. L. Weaver of the Court of Land Registration, finding a good title for the former residence property of W. G. Ashley in Thurston avenue, conveyed on April 11, 1904, to F. Klamp by F. J. Lowrey, J. P. Cooke and W. F. Dillingham, trustees, for a consideration of $12,250.

COURT NOTES.

Ichinoshin Fukushima vs. Morihiro has been discontinued. It was a suit begun more than two years ago for $3000 damages for malicious prosecution.

At the request of W. S. Fleming, Assistant Attorney General, a nolle prosequi was entered in the case of Chung Chong, Mun Chong, Chun Yet, Long Wo and Ung Man, indicted for maintaining a lottery.

Judge Robinson ordered judgment in favor of plaintiff in the suit of Ane Hilo vs. Wong Hin, for the restitution of the premises described in the complaint.

HABEAS CORPUS CASE.

Sheriff J. H. Coney of Kauai made return to the writ of habeas corpus, which was argued before the Supreme Court yesterday, in the case of three witnesses in the Glennan murder case detained since the conviction of Matsumoto Moritaro. He alleges, for reasons of their detention, among other things that an appeal to the Supreme Court is being prepared and that the witnesses have not asked to be released. S. K. Kaeo, counsel for Moritaro, appeared for the writ; E. C. Peters, Deputy Attorney General, for the respondent.

RESULTS OF THE TRIP

Atkinson Talks of the Visit to Island of Kauai.

(From Thursday's Advertiser.)

"We had a very successful trip," Secretary A. L. C. Atkinson said yesterday regarding the visit of Governor Carter and party to Kauai. "The people of Kauai are a particularly good lot indeed. They know what they want and how to get it. It is the best organized society that I know of. The chief reason is that a considerable number of residents are owners of their own estates and live on them, therefore take a lively interest in the welfare of their little community.

"Kauai's great charm to me consists in its beautiful homes and the home influences that are seen there. They are something for these islands to be really proud of.

"The Governor was very well received by everybody, especially among the Hawaiians.

REPUBLICAN ACCESSION.

"Senator Nakapaahu has declared himself for the Republicans. As his action in the special session was particularly pleasing to the Republicans, I would not be surprised if he were nominated and elected by the Republicans in November. Francis Gay likes him very well and the two make a strong combination politically.

CLIFFS OF KALALAU.

"I would have liked more time on the trip, because we were on the jump day and night, which is very hard on a man.

"We crossed from Waimea to Hanalei by steamer, sailing by the famous cliffs of Kalalau and those valleys in there. Mr. Pratt was on the Kalalau expedition sent to capture Koolau, the leper outlaw, and he pointed out all the landmarks of interest connected with that episode. The valley is now covered with lantana.

MAGNIFICENT HANALEI.

"Hanalei is without doubt the most beautiful spot in the Hawaiian Islands, with its magnificent mountains covered with forests and abounding in waterfalls that seem to meet the clouds. The sand beach and bay add to the beauty of the whole view. Altogether, Hanalei is one of the most ideal spots on earth.

"The luau and meeting at Hanalei were arranged altogether by the natives, who gave the feast by themselves and the meeting I understand from old residents was the largest gathering since the visit Kalakaua made there upon his election as king.

ROYAL STARTING POINT.

"Through some custom Hanalei was the starting place for kings when they made tours of the islands.

"The roads on Kauai are generally in good condition, though I must say that the road between Anahola and Kalihiwai ought to be regraded.

SADLY NEGLECTED BRIDGE.

"The bridge at Wailua is in simply a disgraceful condition. How anybody could allow such a valuable piece of Government property to get in so rusty and dilapidated a condition as it is in today I fail to see.

"The structure probably cost between $25,000 and $30,000. Whether scraping and repairing can save the bridge from total destruction I do not know. That would have to be selected by engineers, but I would suggest that something be done immediately.

SUGGESTIVE SILENCE.

"The most notable thing politically upon the trip was the lack of any advocacy of, or even talk about, county government.

THE PLANTATIONS.

"The leaf hopper is playing havoc in some places, but particularly in the northeast side of the island.

"On the other hand, the McBryde cane, which we drove through, is the best-looking cane on the island. The fields seem well kept and the cane looks healthy, green and luxuriant. Apparently the leaf hopper has left them alone for the present, and as the pest would appear to be less numerous in summer it looks as if that place were going to have a good chance.

LAND MATTERS.

"Land questions we went into very thoroughly and have about decided where we can locate some homesteads in Hanalei valley.

"We also looked over some land whereby we can arrange for getting the right of way for the approaches to Kalihiwai bridge.

PLEASANT REFLECTIONS.

"I must say," Secretary Atkinson concluded, "I was much pleased with the reception to Governor Carter all the way around. Wherever he went there seemed to be Hawaiians with leis waiting to decorate him. The trip home from Nawiliwili in the steamer Mikahala was extra smooth."

FISHERIES DECISION

(Mail Special to the Advertiser.)

WASHINGTON, D. C., April [illegible]—The Supreme Court made short work of the Hawaiian fisheries case. It was decided by the unanimous vote of the court, favorable to the defendant, as already stated in cable dispatches.

After making a statement of the case and the title claimed by defendant Justice Holmes, who wrote the opinion, says:

"The foregoing laws not only use the words 'private property,' but show that they mean what they say by the restrictions cutting down what otherwise would be the incidents of private property. There is no color for a suggestion that they created only a revocable license, and if they imported a grant or a confirmation of an existing title, of course the repeal of the laws would not repeal the grant. The argument against their effect was not that in this case the ahupuaa did not belong to the fishery, within the words 'landlords whose lands, by ancient regulation, belong to the same,' (the land seems formerly to have been incident to the fishery,) but that citizens have no vested rights against the repeal of general laws. This is one of those general truths which become untrue by being inaccurately expressed. A general law may grant titles as well as a special law. It depends on the import and direction of the law. A strong example of the application of the rule intended by the argument is to be found in Wisconsin & Michigan Railway v. Powers, 191 U. S. 379, where a railroad company was held to have no vested right to exemptions proclaimed in a general tax act. The statute was construed not to import an offer, covenant or grant to railroads which might be built in reliance upon it. But if a general law does express such an offer, as it may, the grant is made. If the Hawaii statutes did not import a grant it is hard to see their meaning.

"However, in this case it is not necessary to invoke the statutes further than to show that, by the law in force since 1846 at least, such rights as the plaintiff claims, and which, as is shown by the evidence, he and his predecessors in title have been exercising for forty years, have been recognized as private property. Such is the view of the leading case, decided in 1858 and acquiesced in, we believe, ever since. Haalelea v. Montgomery, 2 Hawaiian R. 62, 66. In the present instance the plaintiff claims under a royal patent, admitted to have been effective as to whether, by its true construction, it purported to convey. This patent describes the ahupuaa by metes and bounds, and then the granting clause goes on: 'There is also attached to this land a fishing right in the adjoining sea, which is bounded as follows'—again giving boundaries, and continuing: 'The islands of Mokumoa, Mokuonini and Mokuoco are a part of Moanalua, and are included in the above area.' The description of what is intended to be conveyed could not be plainer. But the habendum is 'to have and to hold the above granted land,' and it is said that as the fishery of an overlord or konohiki, unlike the rights of tenants did not pass as an incident of land, but must be distinctly granted, the fishery was not included in the patent. Haalelea v. Montgomery, 2 Hawaiian R. 62, 71. Again, we must avoid being deceived by a form of words. We assume that a mere grant of the ahupuaa without mention of the fishery would not convey the fishery. But it does not follow that any particular words are necessary to convey it when the intent is clear. When the description of the land granted says that there is incident to it a definite right of fishery, it does not matter whether the statement is technically accurate or not; it is enough that the grant is its own dictionary and explains that it means by 'land' in the habendum land and fishery as well. There is no possibility of mistaking the intent of the patent. It declares that intent plainly on its face. There is no technical rule which overrides the expressed intent, like that of the common law, which requires the mention of heirs in order to convey a fee. We are of opinion that the patent did what it was meant to do, and therefore that the plaintiff is entitled to prevail."

Judgment reversed.

SMALL FARMING DATA NECESSARY

The bulk of the correspondence received yesterday by the Promotion Committee referred to farming possibilities in the islands.

The absence of absolute data on the productiveness and the marketing of products of small farms, is proving a bar to the successful answering of queries that reach the Committee. A letter was received yesterday from Nova Scotia which read as follows:

"We would like full information as to settlements in your islands; prices of lands; locations; productions; prices; if markets are convenient; cost of land seekers' and immigrants passage; by what lines of steamships may they arrive, cost of living; building, etc., and if partly improved property can be had; what land will give an income of $500."

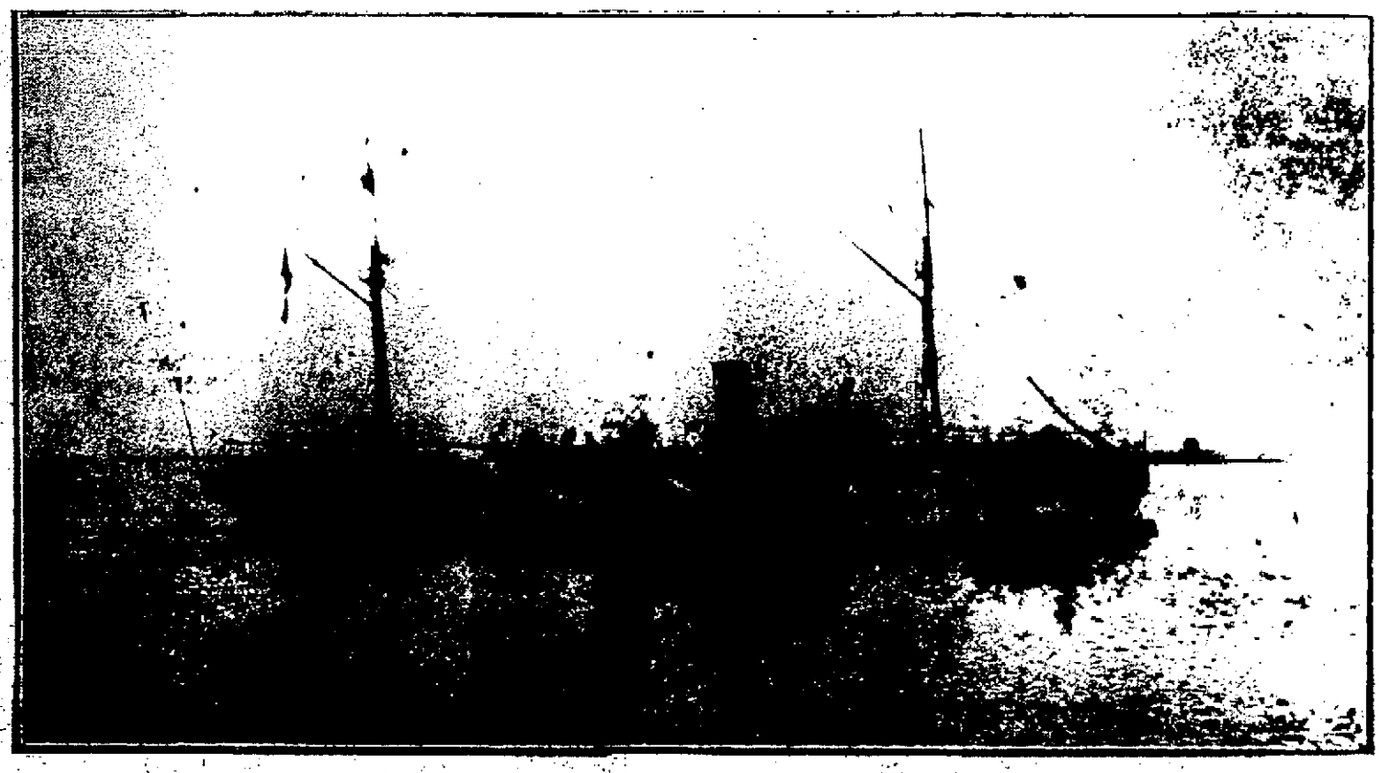
Three men who should have information about the productiveness of diversified farms have been asked by the Promotion committee to answer those questions, bearing upon local conditions.

WILL LOOK FOR SUBMERGED ROCKS

J. D. Hague who arrived on the Sierra, will join the cruiser Tacoma on her return trip to the coast, and will assist in the location of hidden reefs reported between here and San Francisco. Mr. Hague has not been here since 1860. He was here when the U. S. S. Levant sailed from Honolulu and was never heard of again. He believes that the Levant struck an uncharted reef and has urged the government at different times to undertake the location of the hidden island.

This is the same reef of which Captain Chapman, late of Tahiti, referred to in an interview which was published in the Advertiser a couple of weeks ago. Submerged rocks were located by a vessel bound for Tahiti in 1853, and the cabin boy on that vessel is still living in Tahiti. He remembers the discovery of the submerged reefs and told Captain Chapman of them only a couple of years ago.

AN AMERICAN EDITOR, Mr. John E. Cook, publisher of the Banner-Stockman, of Clarendon, Texas, U. S. A., in a letter regarding Chamberlain's Colic, Cholera and Diarrhoea Remedy, says: "On one occasion I am sure it saved my life, curing me of a very bad attack of cramp colic." This remedy meets with the same success in this country as in America and never fails to give relief. For sale by all dealers and druggists. Benson, Smith & Co., Agents for Hawaii.



U. S. CRUISER BENNINGTON. (Advertiser Photo.)

SQUADRON WILL BE LONG IN PORT.

(Continued from page 2.)

with his staff comprising Lieut. Philip Andrews, Flag Lieutenant; Lieut. Simon P. Fullenwider, aide.

OFFICERS OF NEW YORK.

The officers of the New York are as follows: Captain John J. Hunker, commanding; Lieut.Com. Simon Cook, executive officer; Lieut.-Com. Howard Gage, fleet engineer; Lieut.-Com. Robert F. Lopez, Lieut. Alfred W. Hines, Lieutenant Clarence S. Kemoff, Ensign John H. Wash, Ensign Wallace Bertholf, Midshipmen Fred. H. Poteet, Chas. E. Smith, Roscoe F. Dillen, Nathan W. Post, Aubrey K. Shour; Fleet Surgeon David O. Lewis, Asst. Surgeon Earl M. Brown, Pay Inspector John S. Carpenter (fleet), Captain Dickenson P. Hall, U. S. M. C.; Boatswain John E. Murphy, Acting Gunner, Harold V. Barr, Warrant Machinists Gustav Auberlin, Herbert E. Kershaw, Jos. J. Burgess; Acting Warrant Machinist John I. Ballinger.

BENNINGTON'S OFFICERS.

The officers of the Bennington are as follows:

Lieut.-Commander Wilson W. Phanan, commanding; Lieut. Wm. Herbert, Lieut. Geo. R. Slocum, Ensign Chas. T. Wade, Ensign Newman K. Perry Jr., Midshipmen Leo. Sahm and Lindsay H. Lacy, Surgeon Jas. [illegible] Field, Paymaster Chas. Morris Jr., Pay Clerk H. O. Metins.

DESCRIPTION OF VESSELS.

The New York is an armored cruiser and one of the largest of her type in the navy. She was built by Cramps at Philadelphia and has a displacement of 8,200 tons. She has barbette turrets and a turret with two military masts. She measures [illegible] feet 8 1-2 inches along the water [illegible] 44.10 feet beam and 22.3 1-2 feet mean draft and is furnished with twin-screw vertical triple-expansion engines capable of driving the vessel at the rate of 21.91 knots per hour. The main battery consists of six eight-inch breechloading guns disposed in pairs in the barbette turrets and one on each broadside; twelve four-inch rapid fire guns. The secondary battery comprises twelve rapid-fire and four gatling guns. She also has four torpedo tubes. She carries a crew of 484 men and 35 marines.

The Bennington has a displacement of 1710 tons and carries a main battery of six guns. She has a crew of about 200 men. Both vessels are in need of being dry-docked [illegible] masses of green stuff clinging [illegible] hull below the water line.

BENNINGTON HERE [illegible]

The gunboat Bennington was [illegible] to this port [illegible] ago on the [illegible] of the Philadelphia and the [illegible] ones. In 1899 a party of sailors and marines from the Bennington were [illegible] in the battle of Luzon and [illegible] in a heavy fire. One boat was commanded by Ensign Emory Winship, who [illegible] Honolulu, and with him was Harry Flint, at present captain of the Honolulu harbor police, [illegible] boatswain's mate. [illegible] was fairly riddled [illegible] his body [illegible] him badly.

[illegible] Bennington who is being extensively repaired [illegible] a few years ago [illegible] the small river gunboat Oakita which was attached to the station. The boat was sent [illegible] Manila and was [illegible] Philippine force of [illegible] one of the new [illegible] and [illegible] Manila Bay [illegible] the Oakita and were [illegible] deplorable condition. Their [illegible] were badly swollen.

WAIALUA ONE AHEAD

Judge Robinson Renders Decision Against O. R. & L. Co.

Judge Robinson, in deciding a phase of the Oahu Railway & Land Co's suit against the Waialua Agricultural Co. to recover $4800 for coal sold and delivered, said that although there appeared to be no written contract, the plaintiff in its complaint ingeniously presented five separate and distinct counts or causes of action. Summons was served on October 26, 1903. On Nov. 4 defendant filed its answer and Nov. 4 defendant filed its answer and counter claim. In this document the liability for the coal was admitted, but a counter claim for $14,442.02 for rent of grazing lands was set up, with interest added making $16,870.77. The defendant asked judgment for the difference between the accounts, $12,870.77, together with attorney's fees and costs.

It would appear that the demurrer objected to the plea of a set-off, but Judge Robinson, having quoted Hawaiian with other authorities, says the Supreme Court of this Territory in the case of Erickson vs. Volcano S. & T. Co., after quoting the provision in regard to set-off in the statutes, "held that the very idea of a set-off is that it is a debt growing out of a separate transaction from that sued upon." In conclusion he says:

"But if the matter improperly pleaded by way of set-off or counter claim could be allowed by way of recoupment, the mere fact that the pleader has miscalled his claim in his pleading does not affect his right; and whether the party calls it by the right name is not material. It is the facts alleged which constitute the defense. Springer vs. Dwyer, 50 N. Y. 22.

"In my judgment the matters and things set out in the defendant's so-called amended answer and counter claim, although improperly pleaded by way of set-off, should be allowed by way of recoupment.

"It is ordered that plaintiff's demurrer to the defendant's so-called amended answer and counter claim be and the same is hereby overruled."

KALIHI CAMP BEING DISMANTLED

The old Kalihi camp is to be dismantled at once and the buildings are being sold and removed from the land. Willie Lucas who bought the buildings and unexpired lease at public auction from the Public Works Department for $5600 has about disposed of the property at a profit of about a thousand dollars on his investment. The buildings are being purchased by Japanese and Chinese and are removed from the camp, to be erected elsewhere. The lease of the land reverts back to the Bishop Estate.

It was the intention at first to continue the camp as a lodging house, but this plan has been abandoned.

DOWNEY AGAIN BROKE RECORD

(From Wednesday's Advertiser.)

H. L. Downey again broke the record on the Haleiwa Golf Links yesterday morning, doing the nine holes in 40. He could easily have bade the round in 39 but tried for 38, missing on a long "put." Both Downey and Dr. Pirie, the Canadian, will be at Haleiwa for a fortnight, and D. W. Anderson will make another attempt to win back his laurels on Saturday.

The tennis court will be completed by the 15th, so that those going down for an outing will be able to amuse themselves with the racquet and net as well as with their golf clubs.

HAWAII'S INDIGENT SICK HAVE DISMAL PROSPECT

Planters Will Be Asked to Assist in Maintaining Sanitation in Country—Dr. Weddick Makes Hard Luck Statements.

(From Thursday's Advertiser.)

Business of the Board of Health meeting yesterday was largely based on a memorandum submitted by President L. E. Pinkham. One of the most important matters related to a serious situation caused by the slashing of the pay of Government physicians under the policy of economy established by the Legislature. With the president there were present Dr. C. B. Cooper, J. C. Lane, M. P. Robinson and Dr. W. H. Mays, members; Dr. J. Weddick, Government physician for Wailuku; C. Charlock, secretary, and Miss Mae Weir, stenographer. The president's memorandum is given in sections below, with a report of the discussion and action upon the different subjects.

GOVERNMENT PHYSICIANS.

"A number of Government physicians have peremptorily resigned, others have requested information as to what will be required of them at the compensation of $10 per month. I have tried to induce a number to maintain their work until the whole subject can be more thoroughly canvassed.

"Your president has investigated the work done by the twenty-two Government physicians, for the entire islands, exclusive of Honolulu and the Leper Settlement, during the year ending December 31, 1903, and finds their services classified, comprised the following: House visits, 6,733; Office visits, 12,197; Medical cases, 10,846; Surgical cases, 1,722; Prescriptions filled, 17,805; Vaccinations, 1,827; Schools inspected, 234; Health certificates granted, 10,742; Post mortem examinations, 73; Unattended deaths investigated, 285; Lepers apprehended, 99; Births reported, 1,945; Marriages reported, 621; Deaths reported, 1,654.

"This mass of professional service indicates a large number of indigent poor, whose suffering and ills cannot be provided for except at governmental expense or by private charity. Most districts are too poor to secure provision for the indigent by charity.

"It is evident that work on vital statistics is purely a governmental function. It is also evident the investigation of unattended deaths is primarily a matter of prevention of crime as well as of contagious disease, both strictly governmental duties."

ONE DOCTOR PROTESTS.

On this subject Dr. Weddick had some interesting remarks to make. He protested vigorously against having Government physicians to perform services free for the Attorney General's department. Formerly they received $2 for a visit to a prisoner. They were asked to make it $1, which they did. Then they used to be paid $25 for cutting up a corpse at the request of the police. Eventually they were induced, for economy's sake, to do this disagreeable service for nothing. He pleaded with the Board that it should not require them to do work for the Attorney General's department for nothing.

Dr. Cooper said that Dr. Weddick's views had always been his own contention. When the police department wanted work done it should be prepared to pay for it. Dr. Cooper, after some further discussion, moved that the matter be referred to the committee on rules and regulations. Carried.

OUTSIDE HELP NEEDED.

"There was no provision made by the Legislature for medicines and supplies," the president's memorandum stated.

"The president of the Board of Health knows of no available means that can be applied to meet these necessities.

"The pertinent solution is for the president, under the instruction of your Board, to correspond with the leading citizens of each district and ascertain what, if any relief, can be secured locally, and in the meantime urge the physicians to maintain the work until at least your Board can canvass the situation."

Dr. Cooper remarked that a majority of the physicians [illegible] in sanitation work. An appeal ought to be made to the Planters' Association [illegible] showing it how [illegible] assisting in the work. [illegible] that body to [illegible] towards maintaining the sanitary [illegible].

The president [illegible] to let the matter be [illegible] Association [illegible].

[illegible]

"After [illegible] I have concluded to recommend, if it meets with your approval, that the trustees of Maluiani Hospital appropriate $50 per month as the compensation to Dr. Weddick, such sum to be taken from the appropriation. I further recommend that Section 15 under the Rules and Regulations of the hospital be so changed and amended that the operating physician may make and receive a reasonable fee for an operation where the subject is in position to pay such a charge. That in case of a dispute, as to charges, either the trustees or this Board act as referees."

Dr. Cooper thought everybody who could pay should pay. There was entirely too much free business. He moved that the limitation of $100 as a fee for any operation be removed from the rules. If a patient was able to pay for a major operation he should do so, because of the care required in such a case after the operation.

Dr. Weddick said three doctors were usually required for a serious operation to do justice to the patient. While he had performed such operations alone, there should be skilled assistance whenever it was possible.

The motion carried.

Dr. Cooper moved that, out of the running expenses of the hospital, Dr. Weddick receive a fee of $50 a month. Dr. Weddick had previously explained that native Hawaiians had always been treated free at the hospital, operations and all. Indigent foreigners had obtained similar consideration. The motion carried.

The resignation of Dr. J. H. Raymond as a trustee of the Maluiani Hospital, tendered on account of removal to Honolulu, was accepted and the president authorized to ask R. W. Filler, manager of the Kahului Railroad Co., to accept the vacant position.

OTHER HOSPITALS.

"The Attorney General's Department," the Board was informed, "has agreed to confirm its opinion, relative to the subsidy to the Leahi Home for Incurables, so that the Auditor may issue the necessary warrants. The resistance to the payment of subsidies to the Queen's Hospital and Kapiolani Maternity Home will probably cease."

SANITATION.

"I made a thorough inspection of the pig ranches on the flats on Sheridan street," the president reported. "They are being put in good order.

"Without previous notice I inspected the slaughter house of the Metropolitan Meat Company at Kalihi. I found the place in admirable condition and have no criticism to offer. The facilities for inspection were all that could be required, and there was every evidence the duties of inspection were being properly attended to at the time of my visit. I inspected the hog and duck ranches in the vicinity. They were all in excellent order."

A report by W. F. Hall, a sanitary inspector, upon duck ranches was read. He had spent twelve days in the inspection and the rest of the month in having orders for improving the conditions carried out. There were 51 ranches at Waikiki with 10,280 ducks, and 12 at Kalihi with 5790, the totals being 63 ranches and 16,070 ducks.

MILK AND MEAT.

The memorandum of the president said:

"I find the number of milk samples taken during the year 1903 to have averaged 3 2-3 samples per day. I purposed and have arranged that the meat and poi inspector and the food commissioner and milk inspector shall jointly secure the necessary milk samples. I have conversed with a leading senator and am convinced the responsibility of certain changes rests solely on them. I recommend that Dr. W. T. Monsarrat be retained in his position as meat inspector with poi inspection added, and that he, with Dr. Duncan, food commissioner and milk inspector, be jointly held responsible for securing milk samples."

It was agreed, on discussion of these matters, that the president should see Governor Carter and ascertain whether the services of H. Myhre, milk inspector, could not be retained until July 1.

THE KALIHI PREMISES.

President Pinkham made the following presentment:

"The Bishop Estate has prepared a lease, that appears acceptable, of the grounds on which the Kapiolani Girls' Home and the Quarantine Station stand. They have amended their usual clause as to the cutting of trees, and have made void the clause claiming the improvements at the termination of the lease."

On motion of Dr. Cooper, the president was authorized to go ahead in procuring the lease.

QUARANTINE REPORTS.

Dr. L. E. Cofer, chief quarantine officer, sent in reports of health conditions at ports in the Pacific with which Honolulu has steamship communication, as follows:

Suva, Fiji, clean.

Brisbane, Queensland—plague cases 3, deaths 1.

Hongkong—plague cases 13, deaths 11; smallpox cases 5, deaths 5.

Shanghai—smallpox cases 6, deaths 24.

Nagasaki—smallpox cases 155, deaths 1.

Kobe—smallpox cases 1, deaths 0.

Yokohama—clean.

WILL STUDY FINANCIAL STATUS OF THE ISLANDS

Wells Goodhue of Chicago, representing a Chicago financial journal, arrived yesterday on the Sierra, to study the financial status of the islands. Mr. Goodhue recently performed a similar work in Cuba.

The entire island financial status will be thoroughly looked into, and every phase of investment, indebtedness and revenue will be presented in an article or series of articles on the subject.

The object of Mr. Goodhue's visit is explained by the fact that the mainland has been fairly prosperous in the past year and nearly $70,000,000 of mortgaged indebtedness has been wiped off, leaving the trust companies, banks and other financial institutions with funds on their hands to be invested. For this reason possible investments were looked up in Cuba, and now Hawaii is to be handled in the same way.

Mr. Goodhue has scores of letters of introduction to people in the islands. He called on Governor Carter and other influential Hopolulans yesterday. He is a guest at the Young Hotel.

NEWSPAPERARCHIVE®

ARRIVED.

Tuesday, May 10.

S. S. Sonoma, Herriman, from Sydney, Auckland, Pago Pago and Fanning, at 8 a. m.

U. S. cruiser New York, Hunker, from Acapulco, at 11 a. m.

U. S. gunboat Bennington, from Acapulco, at 12 m.

Stmr. Kauai, from Maui ports, at 10 a. m.

Wednesday, May 11.

O. S. S. Sierra, Houdlette, from San Francisco, at 7:30 a. m.

Stmr. Mikahala, Gregory, from Kauai ports, at 3:15 a. m.

Stmr. Likelike, Naopala, from Maui and Molokai ports, at 6 a. m.

Thursday, May 12.

Ship Edward Sewall, Quick, from San Francisco, at 7 p. m.

DEPARTED.

Tuesday, May 10.

S. S. Sonoma, Herriman, for San Francisco, at 5 p. m.

Stmr. Kinau, Freeman, for Hilo and way ports, at noon.

Stmr. W. G. Hall, S. Thompson, for Kauai ports, at 5 p. m.

Stmr. Mauna Loa, Simerson, for Lahaina, Maalaea, Kona and Kau ports, at noon.

Stmr. Claudine, Parker, for Maui ports, at 5 p. m.

Stmr. J. A. Cummins, Searle, for Koolau ports, at 7 a. m.

Bktn. Coronado, Potter, for San Francisco, at 2:30 p. m.

U. S. A. T. Thomas, Lyman, for Guam and Midway, at 10:30 a. m.

Wednesday, May 11.

Am. sp. Henry Villard, Schaube, for Eleele and Mikaweli, at 9 a. m.

O. S. S. Sierra, Houdlette, for the Colonies, at 6 p. m.

Stmr. Maui, Bennett, for Mahukona, Paauhau, Kawaihae and Ookala; mail and passengers only for Kaunakakai and Hilo, at 5 p. m.

Stmr. Likelike, Naopala, for Molokai, Maui and Lanai ports, at 5 p. m.

Schr. Luka, for Kohalalele, at 4 p. m.

Thursday, May 12.

Bktn. S. G. Wilder, Jackson, for San Francisco, at 10:30 a. m.

Am. schr. David Evans, White, for the Sound, at 2:30 p. m.

Am. bktn. Aurora, Jorgensen, for Portland, Oregon, at 2:30 p. m.

Stmr. Mikahala, Gregory, for Kauai ports, at 5 p. m.

Schr. C. L. Woodbury, for Hilo and way ports, at 6 p. m.

PASSENGERS.

Arrived.

Per stmr. Mikahala, May 11, from Kauai ports.—Governor George R. Carter, Secretary A. L. C. Atkinson, J. W. Pratt, J. A. Palmer, C. P. West, R. S. Hosmer, R. Church, Yee Shang and 105 deck.

Departed.

Per stmr. Claudine, May 10, for Maui ports.—S. E. Kalama, wife and child, F. H. Jordan, K. R. Hamakers, Charles Chillingworth, Lorrin Andrews, J. T. Crawley, A. Toellner, C. B. Wells.

Per stmr. Kinau, May 10, for Hilo and way ports.—John Hind, M. Lorenz, B. Waggener, Miss R. E. Wolley, Mrs. Mannalima, R. Windrath, John Sherman, T. Kobayashi, Mrs. Thomas Murray, A. Haneberg, C. Kaiser, John Gibb, R. D. Rockwetz, Mrs. H. H. Renton, Miss Ida Quinton, R. T. Halsey and wife, J. H. Wise, S. M. Kanakanui, Miss Kofka, Miss Winter, George P. Denison, Pat Murphy, W. R. Douglass, J. F. Hackfeld.

Per stmr. W. G. Hall, for Kauai ports, May 10.—G. H. Pecht, H. P. Baldwin, Rev. G. L. Pearson, Mr. Fukumoto, Lorenzo Taylor, Rev. E. Takimasa, Leong See, Tow Choy, H. F. Ludwig.

Per stmr. Mauna Loa, for Maui and Hawaii ports, May 10.—J. W. Asch, C. Wolters, Mrs. McWayne, Goo See and 2 children, Mrs. Capt. Pederson and child, Mrs. John Glennon, M. F. Scott, E. P. Low, M. C. Oliviera, Mrs. Capt. Taylor, Geo. Stubner, Mrs. James Cornwell, G. E. Bryant and family.

GERMANY'S SUGAR CROP.

Acreage of Beets Will Be 306,000 Acres Less Than Last Year.

A report has just been received at the Department of Commerce and Labor from Consul Diederich at Berlin, Germany, in which he says that the German manufacturers of sugar are satisfied that nothing short of a positive reduction in acreage all over Europe will bring the beet sugar business back to a paying basis. The consul states that in consequence of the Russo-Japanese war there will be a greater scarcity of field labor in Germany than ever before. The police regulations will be more strictly enforced along the borders of Russia and Prussia, and it is reported that no passes will be issued to the 200,000 Russian Poles that usually come into Germany early in the spring, cultivate the sugar beet fields all season and then return to their Russian homes late in the fall. Mr. Diederich says the authorities of the province of Saxony are taking steps to get substitutes for them from Gallicia. The consul closes his report by saying that the acreage will be about 208,000 acres less, but, on the other hand, there is no doubt that the production of cane sugar will be increased by at least 150,000 tons. The world's consumption will be about 500,000 tons.

Mr. Mahin, United States consul at Nottingham, England, says a Liverpool expert has been making a thorough investigation into the practicability of attempting to raise sugar beets in that country, and now announces that 1,000,000 acres of land in the united kingdom are suitable for the purpose.

CRIMPS WILL HAVE TO BE CAREFUL

Secretary Cortelyou of the Department of Commerce and Labor is after the waterfront crimps of every American port. On and after tomorrow these gentry will have to be very careful in their business relations with seamen or they will face the law and stand a chance of seeing the inside of a prison for three months. In a circular dated April 18, the Secretary sends the following instructions to Collector Stackable and Shipping Commissioner Holt:

Your attention is invited to the act approved April 13, 1904, entitled: "An act to amend section forty-six hundred and seven of the Revised Statutes, relating to soliciting seamen as lodgers:"

On and after May 13, 1904, section 4607 of the Revised Statutes will read as follows:

If, within twenty-four hours after the arrival of any vessel at any port in the United States, any person, then being on board such vessel, solicits any seaman to become a lodger at the house of any person letting lodgings for hire, or takes out of such vessel any effects of any seaman, except under his personal direction, and with the permission of the master, he shall, for every such offense, be punishable by a fine of not more than fifty dollars, or by imprisonment for not more than three months. This section shall apply to vessels of the United States engaged in the foreign trade and to foreign vessels.

BUFFALO DUE HERE MAY 21

Admiral Terry has received information that the cruiser Buffalo will arrive here on May 21 from Singapore. She has short term men on the way home for discharge. The Buffalo will become a training ship at Mare Island.

The cruiser Tacoma is due here on Saturday from the coast. After remaining here for some time the vessel will proceed to San Francisco, making a search for a lost island between here and San Francisco.

The cruiser New York will today be moved out of Naval Slip No. 1 to the position now occupied by the U. S. S. Iroquois. The Iroquois will be shifted across to the stone wall. This change is made to make room for the big Pacific Mail steamship Mongolia due tomorrow. Admiral Terry is giving every opportunity to the steamship agents to have the Mongolia enter the harbor. Afterwards the New York will return to the slip and will then be coaled.

Lieut.-Commander Leonard arrived on the Sierra yesterday to become executive officer of the Bennington. He relieves Lieut.-Commander Buchanan.

Machinist Ingram, acting chief engineer of the Iroquois, has received his warrant as Warrant Machinist and will be transferred to the cruiser New York.

Truebridge to Command Minnesota

SEATTLE, (Wash.), April 30.—Captain Truebridge, who has commanded the steamship Victoria, late of the Northern Pacific Steamship Company's line, for several years, has been appointed to the command of the Minnesota, the big vessel built recently by James J. Hill's interests at New London, Conn., for the transpacific trade. Captain Truebridge left here today for New London to take command. He expects to sail with her from New London in July and to reach here seventy days later.

Pennsylvania to Be Training Ship.

The steamship Pennsylvania, which came to this coast during the Klondike rush and subsequently served as an army transport, arrived on Monday at Philadelphia. After the Spanish war the American line steamer found little work on this coast and after a long rest on the mud her owners ordered her back to the Atlantic. She has been chartered for service as a school ship and will make a cruise around the world with a large company of youngsters in training for the merchant marine.—Examiner.

The following sugar is reported at Kauai ports ready for shipment: K. S. M., 4500 bags; W., 1300; H. S. Co., 18,850; McB., 25,054; K. P., 5035; L. P., 5750; G. P., 2145; H. M., 15,170; V. K., 800, and M. S. Co., 25,000 bags, making a total of 105,507 bags.

TOYO KISEN MAY RETIRE

The Examiner of May 4 has the following concerning the Japanese steamships calling at Honolulu:

The Japanese Steamship Company, Toyo Kisen Kaisha, is to temporarily retire from this port and its force of white officers, clerks and other employees are seeking positions elsewhere. General Agent W. H. Avery, so far as is now known, will continue to maintain his office here, with at least part of his office force. Japan's war with Russia is the cause of the company giving up its business at this port and it is certain it will not be able to resume the service until that war is ended. The Japanese company, Nippon Yusen Kaisha, abandoned its Seattle service for the same reason about a month ago.

The Japanese authorities impressed two of the ships of the Toyo Kisen Kaisha, the Hongkong Maru and the Nippon Maru, as transports over two months ago. As soon as its third steamer, the America Maru, which sails from this port on May 12th, reaches the other side the Japanese are to take her as a transport. With the departure of the America Maru the company's service from this port will for the present terminate.

Even if the company had available steamers it is doubtful if it could do any business in and out of this port. War insurance is up to 45 per cent on cargoes on Japanese vessels. It is owing to this very high insurance that the America Maru will sail from here with absolutely no cargo. She will have very few passengers, owing to the fear of the traveling public that the vessel might be seized by Russian warships.

AUSTRIAN WARSHIP IS COMING HERE

The Austrian battleship Kaserin Elizabeth, one of the best in that country's navy, is said to be en route to this port, and should reach here about the middle of the month. She will call in at San Diego and Monterey and after a stay of a fortnight here will journey to Honolulu and Australia and via Suez to home.—Examiner.

Will Build at Midway.

The steamer Francis H. Leggett, which sails today for Midway by way of Honolulu, carries the material for the construction of a group of buildings at the cable station on Sand Island of the Midway group. As passengers on the Leggett will be twenty-four highly skilled mechanics, who, with twenty-eight Japanese laborers to be engaged at Honolulu, will put up the buildings. There will be a residence for the operators, an office building and an ice plant. The buildings will be substantial affairs and arranged to make life comfortable as possible for the operators isolated at the lonely mid-ocean post. Milliken Bros. of New York are the contractors in charge of the work, which will be done under the personal supervision of Superintendent R. R. Cook and Assistant Superintendent W. G. Greenfield, who will accompany the men and material on the Leggett.—Call.

Mohican to Leave.

The training steamer Mohican, long in service on this coast, is to sail within a few days for Olongapo, in the Philippines, to remain as a station ship. Like the Adams, which has lately been assigned the station at Pago Pago, Samoan islands, the Mohican has for many years been a familiar figure on this coast, and will be missed. A vessel to take its place as a training-ship for the landsmen and apprentices trained here has not yet been named.—Chronicle, May 4.

Marblehead in Port.

The cruiser Marblehead arrived from Panama, by way of a few intermediate ports, yesterday and proceeded up the bay to Mare Island. A brief overhauling will be given the cruiser at the yard, when she will sail for Honolulu to join the flagship New York and the gunboat Bennington. The Concord, also here, is to sail soon for Honolulu, on orders from Admiral Glass.—Chronicle.

COTTON IN HAWAII

The Plant Suitable To Climate and Soil.

People will want cotton just as long as they will want cane sugar, and perhaps longer. A few months ago, when the price of cotton was soaring upwards and the wise ones in America and Europe said there was no danger of a reversal for two years many sugar planters of the southern states began to consider the feasibility of turning a part of their cane fields into cotton fields. They were encouraged by the cotton buyers of New Orleans, Galveston and Mobile, who agreed to furnish them with gins, and by the cotton-seed millers, who offered to take their seed at high figures. If the slump had not come when it did thousands of acres of land in Louisiana and other states would now be covered with cotton plants where cane lately grew. What the commercial effect would have been to the planters it is difficult to estimate. If the planters of Hawaii could suddenly change their sugar interests into fields of growing cotton with gins and other necessary machinery, together with facilities for shipping their cotton to Japan, they might be better off. This conjecture may sound like treason in a land that sugar has so bountifully enriched and if it be treason it comes of the change of mood that the existing low sugar values have engendered.

Cotton is one of the abandoned industries of Hawaii. In 1836 it was planted at Hana, Maui, and in parts of Hawaii. In 1837 Governor Kuakini erected a stone cotton factory at Kailua and some very durable fabrics were produced by the simple machinery of that period. During the civil war, forty years ago, when the seaports of the southern states were blockaded and cotton was made a very costly staple, the Hawaiian growers exported hundreds of bales to Boston. Gins were located near the present postoffice in Honolulu. The Sea Island, Georgia and Peruvian varieties were cultivated then. It was not long after this, however, when sugar asserted almost complete sway over the planting interests of the Islands and fields of cotton became only a memory.

A gentleman residing in this city procured some Sea Island cotton seeds at the coast about five years ago and has been experimenting with cotton in his garden ever since. His land is at a low elevation, not far from the center of town, and the soil in which the plants grow is rich. In four months after the seeds sprout cotton may be picked from the plant. First comes the white blossom, which bears the appearance of a half-grown hibiscus. This gradually turns to a purple hue and then the fluffy little white ball of cotton takes the place of the flower. He has not discovered any serious blight. Occasionally he finds ladybugs on the leaves, and these he believes are combating what inconspicuous blight may exist. His five years' experience gives some weight to his views of cotton growing. He is of the opinion that half a ton of cotton per annum can be grown on an acre anywhere on the lowlands of the Islands, unless the location is subjected to extraordinary strong winds. "It will grow at an elevation of 3,000 feet, if necessary," said he, "and there are vast tracts of land covered with lantana and other useless shrubbery all over the Islands that could be turned into cotton fields. It could be made the ideal occupation for the small farmer. The gin is a simple matter of $400 or $500 and a ready market for the seeds can be secured at home. Absorbing considerable nitrogen from the atmosphere they make, when ground, capital food for dairy and beef stock, as every stockman will tell you. They are put to many other uses. Yet while there might be a very rosy prospect observed in one direction we are confronted by the shipping problem. Steamers calling here on their way to Yokohama are always loaded and have no room for bales of cotton. San Francisco would not be a profitable market; neither would Sydney. Japanese buyers in Yokohama are now paying 16 cents U. S. gold per pound for a medium quality, and there would be our market. I am not a steamboat man and cannot surmise what could be practically effected in the way of speedy transportation. If the cotton industry should attain even a quarter of the present proportions of the sugar business doubtless ways and means would be provided for facilitating the export to Japan or any other country. At first there would not be much difficulty in securing sailing vessels for the traffic. The Fiji cotton merchants ship to Japan via Sydney. They produce a superior quality of cotton in a hotter country than ours, you must know. Our temperature is something between that of Mississippi and Fiji and I am confident there is nothing the matter with our climate."

It would require an expenditure of $10,000 to start and equip an ordinary plantation. A cleaner, gin, press, certain other machinery, miscellaneous tools and warehouses would be needed. A water supply would have to be secured and irrigating ditches constructed. Cotton will thrive with far less water than sugar, but it would suffer during the summer months without irrigation. A farmer with a few acres of cotton would be better off in a certain respect than the small cane cultivator, though the latter is disappearing from the islands. He would be independent of the mill; if the buyer refused to pay his price he could warehouse his product [illegible] market reached the right [illegible] the grower must dispose [illegible] when it is ripe or let it [illegible] stage of raising this [illegible] that it will grow all [illegible] matured cotton [illegible] year on the same [illegible] and the slight [illegible] of cotton.

resources. Besides cotton he will have corn, hogs and sorghum and sometimes sugar. If he has no more than three acres in cotton he will realize from them this season $140 or probably a net profit of $90. Cotton has always paid him and he is contented. He is a factor in one of the nation's greatest industries. Did one ever think what it means to pick out one of the ten-million bale crops of the United States? Fifteen billion pounds of raw cotton must be picked from the bolls by hand. That is an almost incalculable amount, yet that is what the crop means and what the manual labor is that gets it out a lock at a time. The limits of the cotton crop are to a great extent fixed by the ability to get it out and ready for the market—not only to get it ready in time, but to get as much of it out as possible during good weather, before the cold and wet of winter injure the staple and interfere with the work of picking it out. In Hawaii there are no inimical elements of nature to interfere with planting, cultivating and picking every month in the year.—Paradise of the Pacific.

Purser Grube of the Mikahala reports: The weather at Waimea had been bad for the last four days. Last Friday we landed part of our Waimea freight. Saturday we were unable to land anything on account of the swell. Tuesday we managed to land all our freight and machinery. The steamer Ke Au Hou was at Kalihiwai discharging. The gasoline schooner Eclipse was at Anahola discharging.

FORECLOSURES

KAHAKUMAKA HALUALANI.

Under and by virtue of the power of sale contained in that certain mortgage, dated April 16, 1902, made by and between Laura Kahakumaka Halualani (a widow), of Kalauao, District of Ewa, Island of Oahu, Territory of Hawaii, mortgagor, to Claus Spreckels, of San Francisco, State of California, and William G. Irwin, of Honolulu, Island of Oahu aforesaid, doing business in Honolulu as copartners under the firm name of Claus Spreckels & Company, mortgagees, and of record in the Hawaiian Registry of Conveyances in Liber 236 on pages 221-224 and pursuant to Chapter XXXIII of the Session Laws of 1874, entitled "An Act to provide for the sale of mortgaged property without Suit and Decree of Sale" and the Act (Chapter IX of the Session Laws of 1890) amending same, the said mortgagees hereby give notice that they intend to foreclose the said mortgage for condition broken, to-wit: the non-payment of the principal and interest of a certain promissory note referred to in and secured by said mortgage, when due.

Notice is hereby likewise given that the property conveyed by the said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Kaahumanu street, Honolulu, on Saturday, the 14th day of May, 1904, at 12 o'clock noon.

The property conveyed by the said mortgage consists of: All those certain pieces of land situated in Kalauao, District of Ewa, Island of Oahu, Territory of Hawaii, described as follows, to-wit:

(1) Land at Kalauao described in Land Commission Award No. 6104 on which Royal Patent No. 747 was issued to Mahlai. Area, 2 26-1000 acres.

(2) Two lots at Kalauao described in Land Commission Award No. 9400 on which Royal Patent No. 449 was issued to Hilo for Kaolo. Area, 1 545-1000 acres.

(3) Land at Waimalu described in Land Commission Award No. 9316 on which Royal Patent No. 3704 was issued to Maika. Area, 672-1000 of an acre.

(4) Two lots at Waimalu described in Land Commission Award No. 9315 on which Royal Patent No. 866 was issued to Haki: Apana No. 1, area, 1 426-1000 acres; Apana No. 2, area, 142-1000 of an acre. Total area, 1 568-1000 acres.

(5) That lot of land at Waimalu, described in Land Commission Award No. 9325 on which Royal Patent No. 7100 was issued to Kamaala. Area, 653-1000 of an acre.

(6) Two lots of land at Pamuku, Halawa, described in Land Commission Award No. 2057, on which Royal Patent No. 456 was issued to Keawe I: Apana No. 1, area, 315-1000 of an acre; Apana No. 2, area, 154-1000 of an acre. Total area, 469-1000 of an acre.

Also all of interest in:

(7) Those three pieces of land in Halawa, described in Land Commission Award No. 2044, issued to Kaupali: Apana No. 1, area, 386-1000 of an acre; Apana No. 2, area, 508-1000 of an acre; Apana No. 3, area, 144-1000 of an acre. Total area, 1.038 acres. Grand total area, 7.971 acres. Together with all buildings, improvements, rights, privileges, easements or appurtenances to the same belonging or appertaining.

Said lands are encumbered as follows:

(a) A portion of Land Commission Award No. 6104 leased to Sing Wo Sing Company by lease dated July 24th, 1895, recorded in Book No. 156, page 19, for a term of twenty years from August 1st, 1895, at an annual rent of twenty dollars, and a portion of the land is leased to Ahi [illegible] dated March 10, 1896, and recorded in Book No. 156 page 4[illegible] for a term of twenty years from [illegible] rents [illegible] ing [illegible]

[illegible]

Ahii is now assigned to the Woodlawn Fruit Company, Limited.

CLAUS SPRECKELS & CO.
Mortgagees.

Terms: Cash, United States Gold Coin; deeds at expense of purchaser.

For further particulars apply to Hatch & Ballou, attorneys for mortgagees.

Dated April 21, 1904.

2583—April 22, 29, May 6, 13.

MORTGAGEES' NOTICE OF INTENTION TO FORECLOSE AND OF SALE.

Notice is hereby given that in accordance with law and by virtue of the power of sale contained in that certain Mortgage made by Vincent Fernandez to W. O. Smith, Henry Waterhouse and Mary S. Parker, Trustees under the Will of W. C. Lunalilo, deceased, dated June 14th, 1899, recorded in the Registry Office in Honolulu in Liber 192, on pages 382-384, the said Mortgagees intend to foreclose said Mortgage for breach of conditions therein contained, to-wit: the non-payment of principal and interest upon the promissory note of said Mortgagor secured by said Mortgage, when due.

Notice is also hereby given that all and singular the lands and premises conveyed by and described in said Mortgage, and the improvements thereon, hereinafter described, will be sold at public auction by said Mortgagees at the auction room of James F. Morgan, on Kaahumanu street, in Honolulu, Oahu, on Saturday, the fourth day of June, A. D. 1904, at 12 o'clock noon of said day.

The property covered by said Mortgage and intended to be sold as aforesaid, is all that real estate and the improvements thereon, situated at Kalihi, Honolulu aforesaid, described as follows:

First: All of that certain house lot situate on the Ewa side of Kalihi Road in Kalihi, Honolulu aforesaid, and known as Lot No. 1, as delineated and described in a Map made by R. W. Wilcox dated January, 1897, and being the same premises conveyed to said Vincent Fernandez by deed of Abraham Fernandez, dated July 1, 1898, recorded in said Registry Office in Liber 183 on pages 140-141, and more particularly described as follows:

Commencing at the North corner of this Lot and running:

S. 35° 00' W. 50 feet along premises of S. C. Dwight; thence

S. 50° 00' E. 100 feet along Lot No. 2; thence

N. 35° 00' E. 50 feet along Lellani street; thence

N. 50° 00' W. 100 feet along premises now occupied by Domingos J. Lopes to the initial point, and containing an area of 5,000 square feet, more or less.

Second: All of that certain house lot situate on the Ewa side of Kalihi Road in Kalihi, Honolulu aforesaid, and known as Lot No. 2, as delineated on said Map of R. W. Wilcox made January, 1897, and being the same premises conveyed to said Vincent Fernandez by deed of Abraham Fernandez, dated January 4th, 1899, recorded in said Registry Office in Liber 188, pages 333-334, and more particularly described as follows:

Commencing at the North corner of this Lot and running as follows:

S. 35° 00' W. 50 feet along premises of S. C. Dwight; thence

S. 50° 00' E. 100 feet along Lot 3; thence

N. 35° 00' E. 50 feet along Lellani street; thence

N. 50° 00' W. 100 feet along Lot No. 1 to the initial point, and containing an area of 5,000 square feet more or less. Together with all the rights, privileges and appurtenances to said above described properties belonging.

Terms: Cash, in United States Gold Coin.

Deeds at the expense of the purchaser.

For further particulars inquire of William O. Smith, Judd Building, corner Fort and Merchant streets, Honolulu.

Dated Honolulu, May 6, 1904.

WILLIAM O. SMITH,
MARY S. PARKER,
Surviving Trustees under the Will of W. C. Lunalilo, Deceased,
Mortgagees.

2587—5t-F